

Ticketing and Matchday Guidance

Since 1995, disabled people¹ have been protected by legislation against various forms of discrimination. As part of that statutory protection, they have been entitled to receive reasonable adjustments to enable them to participate effectively and inclusively in employment and public life and ensure that they are treated fairly and with dignity. The law governing this is now set out in the Equality Act 2010 (the Act), which replaced the Disability Discrimination Act 1995. In addition to the guidance set out below, more information regarding the applicable legal framework, including the definition of disability and the different forms of disability discrimination under the Act, can be found in Annex 1.

What do we mean by disability and a disabled person?

The Act sets out a definition of disability which is different from other legal definitions (for example those relating to certain disability-related benefits). Section 6 (1) of the Act provides that a person has a disability if:

- (a) the person has a physical or mental impairment, and
- (b) the impairment has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities.

An effect will be regarded as "substantial" if it is more than minor or trivial; accordingly, this is a relatively low threshold. Furthermore, in considering what the effects of an impairment are (on a person's ability to carry out normal day-to-day activities), the effect of measures being taken to treat or correct that impairment – e.g. medical treatment, or the use of prosthesis (such as artificial limbs) or other aid (other than spectacles or contact lenses) – must be disregarded.

A substantial adverse effect will be regarded as "long term" if:

- (a) it has lasted for at least 12 months,
- (b) it is likely to last for at least 12 months, or
- (c) it is likely to last for the rest of the person's life.

¹ In accordance with the common approach of the British disability movement, the word "impairment" is used to connote a medical or quasi-medical condition and the term "disabled people" is used to connote the experience of being disadvantaged by society as a consequence of having an impairment. However, some disabled people prefer the term "people with disabilities".

With regard to the meaning of the word “likely”, the courts have interpreted this to mean “could well happen”. Furthermore, if an impairment ceases to have a substantial adverse effect on a person’s ability to carry out normal day-to-day activities, it shall nevertheless be treated as *continuing* to have that effect if that effect is *likely to recur*.

Some conditions are automatically regarded by the Act as constituting a disability – these are outlined in Annex 1.

When clubs are preparing disability policies and implementing those policies in practice, it is important to remember that the Act covers a wide range of physical and mental conditions, and that individual disabled people will each have their own specific needs and requirements, which must be properly considered and accommodated. This is particularly important when considering the issue of what reasonable adjustments it may be necessary to make for a particular disabled person(s). In many cases, those requirements may be obvious – such as the need for a wheelchair user to have access to a wheelchair space in the stadium – but in other cases, it may be less clear and/or more complex. If in doubt, further advice should be sought including from the disabled person him or herself.

Where a person states that they require the club to provide them with an adjustment or additional support owing to the effects of an impairment, such as a free or discounted ticket for a personal assistant (PA), it will usually be legitimate for the club to request supporting evidence of the person’s need for that adjustment or support. There are a variety of legitimate sources of evidence which a club might reasonably rely on, when considering an individual’s needs and requirements. These are likely to include (but are not limited to):

- Evidence of receipt of relevant state benefits, i.e. Attendance Allowance (AA), Disability Living Allowance (DLA) or Personal Independence Payments (PIP). (Note that there are other benefits available to disabled people, including War Disablement Pension, Employment and Support Allowance and Industrial Injuries Benefits, but people in receipt of these are likely to also receive AA, DLA or PIP). Further information on AA, DLA and PIP can be found in Annex 2.
- Holding a disabled driver’s Blue Badge, as evidence of significant mobility difficulties.
- A letter of confirmation from the Local Authority Social Services Department that the person is in receipt of relevant support services.
- A letter from the person’s doctor (or other medical practitioner) confirming that they are a disabled person in need of extra help or adjustments.

As an individual's circumstances may change, in some cases it may be appropriate for a club to request up to date supporting evidence regarding their ongoing need for a particular adjustment(s) (e.g. on an annual basis, at the time when season tickets are renewed, or when parking permits are reissued).

Ticketing Policy

Any ticketing policy developed by clubs should have regard to the Premier League's general rules on ticketing, currently set out in Section R of the Premier League Handbook. Although there is no legal requirement under the Act to have a written policy on ticketing, this is helpful for clarifying arrangements for disabled people and is also likely to be an important consideration should it be necessary to resolve any claim of discrimination. The disabled persons ticketing policy should incorporate the club's disability access statement required under rule 2 of Section R. The policy must also comply with rule 9 of Section R, in relation to the provision of a percentage of the accessible wheelchair spaces to visiting disabled supporters. Currently, the rule requires that 10% of the accessible spaces in the stadium must be allocated to visiting disabled supporters.

A club's policy in relation to ticketing arrangements for disabled supporters should seek to identify: (a) particular difficulties that may be encountered by disabled supporters, and (b) practical measures which can be implemented in order to avoid or overcome those disadvantages, and to ensure that those supporters benefit from at least as good a level of access and service as non-disabled supporters.

Ticket Eligibility

For most clubs, there will be times when the demand for seats is greater than the supply. When allocating accessible wheelchair user spaces or other seating for disabled supporters, this should be done on an equitable and transparent basis, having regard to the duty to make reasonable adjustments for disabled people. As noted above, clubs should ensure that their ticketing policy is clearly set out in advance, in writing.

If a club sets aside a number of wheelchair user spaces for season ticket holders, it is likely to be reasonable to allocate these on the same basis as it allocates other season ticket seats (such as by giving the existing ticket holder an option to renew their season ticket and prioritising the allocation of any available seats to persons who have signed up to a waiting list, etc).

In circumstances where a non-disabled season ticket holder becomes disabled and wishes to change from a general access seat to, say, a wheelchair user space, a club should seek to accommodate that request. If all of the wheelchair user spaces are already allocated, it may not be possible to arrange this immediately and the disabled person could be placed on a waiting list

until a suitable seat becomes available. However, where a club knows that the demand for wheelchair user spaces is (or is likely to be) greater than the number of available spaces, it should investigate the feasibility of increasing the capacity of such spaces within the stadium (as this may be a reasonable adjustment).

One issue that has been raised by a number of clubs is who should be responsible for determining eligibility for concessionary disabled seating. Given clubs' duties under the Act, the Premier League recommends that eligibility for concessions for disabled people should be determined by the club and not delegated to, say, a supporters group.

Clubs should encourage disabled persons who require support and assistance to make this clear to them as soon as possible. If a disabled person arrives at the stadium without appropriate support, giving rise to genuine health and safety concerns, it may be legitimate for a club to refuse to admit entry to the disabled person. However, this should only occur if there are sufficient health and safety risks and it is not possible for the club to make the necessary adjustments, in order to support the disabled person, at short notice. It is anticipated that this will be a very rare situation, and clubs should take all reasonable steps to ensure that disabled persons are able to attend and enjoy matches, whether on their own or accompanied.

Ticket Administration and Purchasing

This is a key area in which the duty to make reasonable adjustments is likely to have a day to day effect on clubs. There are a number of different ways that fans can purchase tickets and clubs will need to ensure that disabled supporters can use the same, or equivalent, methods for purchasing tickets.

Wherever supporters can buy tickets in person, clubs should endeavour to make those locations fully accessible to all supporters. Reasonable adjustments might include ramps or other assistance for external access; an induction loop for those with hearing impairments; and lowered counters for wheelchair users.

Equally, where supporters can use other methods for purchasing tickets, clubs should seek to ensure that these are accessible as well. For example, where non-disabled fans can purchase tickets over the phone or on the internet, it is likely to be reasonable to provide textphone services and accessible internet pages to allow supporters with certain impairments to use their phones and computers to purchase tickets. Where paper applications (such as forms applying for season tickets) are ordinarily required, clubs should ensure that there are suitable alternatives available for disabled supporters who cannot use this method, or who find it more difficult to do so.

Staff training has always been an important aspect of understanding the rights of disabled people, and how to comply with obligations under the Act, including the duty to make reasonable adjustments. It remains important that all staff and managers who are likely to deal with customers should receive disability equality and awareness training, which should include clear guidance on: (a) legal obligations under the Act; and (b) the club's policies and procedures on supporting disabled people. This will help to ensure that principles of good practice are familiar to staff members and are implemented by them on a day-to-day basis.

Some clubs have a named individual as the principal point of contact for dealing with all disability access ticketing issues. This can be beneficial, as the staff member will develop a deep knowledge and understanding of the issues affecting disabled people in relation to ticketing issues. However, clubs should not rely exclusively on that person as a source of information or support for disabled supporters, in relation to those issues.

Ticket pricing

Some clubs offer concessionary prices for disabled supporters. Subject to the points set out below, this is permitted under the Act (as it constitutes more, rather than less, favourable treatment). However, it is not required by the Act, and clubs may charge these supporters the applicable full price, should they wish to do so. That being said (and as discussed further below), it may be a reasonable adjustment to provide free tickets for personal assistants (PAs) of disabled supporters, in order to ensure that they are able to access and enjoy the match day experience.

Concessions for disabled supporters should be clearly set out in the club's ticketing policy. Where a club has a policy to offer reduced price tickets to disabled supporters, it should not differentiate between different types of disabilities.

Where children are entitled to receive a concession (for example a half-price ticket), disabled children should benefit from: (a) the same concession as applies to non-disabled children; or (b) the concessionary price for an adult disabled supporter, whichever is the cheaper.

Clubs may also have arrangements for providing free tickets to various groups (such as schools or local community associations) as part of their ticketing policy. Disabled people should be included in this provision and where a disabled person(s) wishes to attend the match, where possible that should be accommodated. Depending on the circumstances, it may also be reasonable, for example, to arrange for the other school children attending the match to sit near the disabled student (where, for example, the disabled student requires a wheelchair user space), so that s/he is not isolated from his/her schoolmates.

Personal Assistants (PAs)

Not all disabled supporters will require a PA, and clubs are entitled to ask for confirmation and evidence that a disabled person requires a PA in order to support them at matches (see above). However, clubs should be careful not to apply overly stringent requirements or criteria when considering whether a disabled person reasonably requires the support of a PA. If a disabled supporter has provided evidence of their disability and confirmed that they require the support of a PA – particularly where they are in receipt of a disability benefit which indicates the need for extra help (see Annex 2) - clubs should proceed on the basis that the supporter has a legitimate need for such support.

Where a disabled person requires the support of a PA, the Premier League recommends that clubs should admit the PA free of charge. Whilst it may be possible for clubs to meet their legal obligations in other ways (e.g. by offering the services of a member of staff, who is capable of providing the necessary support to the disabled person, and in effect acting as their PA at the stadium), this is a straightforward adjustment that clubs can make to their standard ticketing policy, in order to assist disabled supporters.

Where a disabled person requires significant support and a club seeks to charge their PA for entry (contrary to the Premier League's recommendation), if the disabled person and the PA refuse to make that payment (with the consequence that the PA is refused entry), then the club will be required to implement other measures to support the disabled person (e.g. by providing a member of staff to act as a PA).

Although they do not have to, a club may admit both the disabled supporter and their PA without charge or at a price less than the cost of one ticket.

Clubs cannot require disabled supporters to be accompanied by a PA (and as noted above, many disabled supporters will not need to be accompanied by a PA), but they may encourage this where appropriate – e.g. by making disabled supporters aware of the free PA ticket policy.

It is sometimes proposed by disabled people that children act as a PA. Providing that the child is indeed giving assistance to the disabled person to allow them to attend, and is capable of fulfilling the role and responsibilities of a PA, the club should permit the child to act as a PA. Accordingly, clubs should not seek to impose a minimum age for PAs, but rather should treat each situation on its own merits. In addition, other disabled people may potentially act as PAs for disabled supporters.

Where the disabled supporter is a young child, it may not be necessary for clubs to allow the child's PA (who may be a parent or other responsible adult) to attend for free, if the club requires all children (whether or not they are disabled) to be accompanied by a paying adult. However, when formulating their ticketing policies, clubs may wish to give consideration to the socio-economic difficulties that may disproportionately be experienced by families with disabled children.

Match Day Access and Facilities

Car Parking

Where clubs provide matchday parking for supporters (whether this is at the stadium itself or at other locations), they should ensure that some spaces are reserved for disabled supporters.

Allocation of such spaces can be limited to those disabled supporters who would have difficulty accessing the stadium unless they are able to secure a nearby parking space (such as a Blue Badge holder). Where a club knows that the demand for these spaces from disabled supporters is (or is likely to be) greater than the number of spaces currently reserved for disabled persons, it should investigate the feasibility of increasing the number of such spaces (as this may be a reasonable adjustment).

There is no statutory requirement for a specific number of disabled parking spaces to be made available. However, guidance from the Department of Transport suggests the following:

Car Park Used For	Car Park Size	
	Up to 200 Bays	Over 200 Bays
• Employees and visitors to business premises	• Individual bays for each disabled employee plus 2 bays or 5% of total capacity whichever is greater	• 6 bays plus 2% of total capacity
• Access to shopping, recreation and leisure	• 3 bays or 6% of total capacity whichever is the greater	• 4 bays plus 4% of total capacity

It is recommended that, as a minimum, the guideline figures in the bottom row of the table above should be adopted by clubs.

As well as designating spaces for disabled supporters, clubs will also need to ensure that steps are taken to prevent the abuse or misuse of these spaces, so that they are in fact available to disabled supporters. If a disabled person or their PA were to try to park in a designated space but find that all or some of them were occupied by the cars of non-disabled people (with the result that no spaces were available), it may be argued that the club had failed to make adequate adjustments. Accordingly, clubs should take reasonable steps to prevent such a situation from arising, for example by instructing stewards to monitor the proper usage of these designated spaces.

In addition to the above recommendations, clubs should consider taking other steps to improve parking and other forms of access. For example, clubs could seek to arrange 'Park and Ride' type services for car parks further from the stadium, and/or specify a particular area close to the stadium entrance as a designated 'drop off' area for disabled people.

Transport to Away Games

There is no general requirement that a club arrange transport for supporters to away games. If a club does not arrange transport for any of its supporters, then it is unlikely that it will be obliged to provide such a service under the Act for its disabled supporters.

However, if a club does arrange transport for its supporters, they will need to take into account the needs of disabled supporters who may wish to take advantage of this service, in two principal ways.

First, as part of their duty to make reasonable adjustments, when booking coaches (or any other form of transport) clubs should investigate whether the company providing the transport can properly accommodate disabled persons and select providers who can do so.

Second, under the law in relation to the provision of 'transport services', providers cannot discriminate in the provision of transport by way of coaches or other hire or rental vehicles. Although this obligation will primarily be on the company providing the vehicle, where a club contracts with such a company it will need to ensure that the company's vehicles comply with this requirement. Disabled people must not be treated less favourably by being refused access to transport services, and providers must make reasonable adjustments to allow disabled people to access those services.

Accessibility requirements for buses and coaches are set out in the Public Service Vehicles Accessibility Regulations 2000 (SI 2000/1970) (PSVAR), as amended. Save for some limited

exceptions, all buses have been required to be fully accessible by 1 January 2017, and all coaches are required to be fully accessible by 1 January 2020.

Seating and viewing: the duty to make adjustments to physical features

Arrangements for seating and ensuring that supporters can be fully involved in match day events will, of course, need to be planned well in advance, and some issues will need to be considered in the long term – such as the physical layout of the stadium and the number of wheelchair accessible spaces.

With regard to the physical layout of a stadium, clubs are required to make adjustments to ensure that disabled people are not prevented from accessing and enjoying the services that are being provided or disadvantaged in terms of that access and enjoyment. This can involve creating or modifying access routes for those with mobility impairments and also providing wheelchair accessible spaces and appropriate seating for ambulant disabled people.

In addition, Part M of the Building Regulations deals with access to buildings for disabled people, and this must be borne in mind whenever new construction work is being undertaken. If new construction work meets the standards set out in those Regulations, clubs will not be required by the Act to make any adjustments to physical features which are dealt with by the Regulations, even if they would otherwise be reasonable, for a period of 10 years.

One particular issue that has arisen is whether wheelchair accessible spaces for away supporters should be placed next to, or within, the general seating areas for away supporters. The Premier League recommends that it would be prudent for clubs to permit this where it is possible to do so, in order to ensure that disabled supporters requiring such spaces are able to enjoy the match in the company of their fellow supporters.

The duty to make adjustments to physical features applies to all areas of the stadium and not just to the general seating areas. Clubs should thus seek to ensure, for example, that accessible toilets for disabled people are available and that other services on the premises, such as food outlets, are accessible. Executive boxes, lounges and bars should also be made accessible for disabled people as far as reasonably possible.

Separately, Premier League clubs have committed to ensuring compliance with the Accessible Stadia Guidance issued by the Sports Ground Safety Authority.

Provision of match day information and other aids and services

As well as the 'core' service of providing a seat to watch a match, clubs will provide a large variety of other aids and services to supporters and are required to make reasonable adjustments to ensure that these can be effectively accessed and utilised by disabled supporters.

Some examples include the provision, operation and/or administration of:

- External signs, including for disabled parking bays, drop off points, etc.
- Direction and facilities signs within the stadium.
- Stadium video boards.
- Tannoy announcements.
- Football commentary facilities.
- Evacuation procedures.
- Match day programmes.
- Food and beverage facilities.
- Stadium shops and merchandise outlets.
- Commercial tie-ins and competitions

This list is far from exhaustive, and there are likely to be a number of other services or facilities etc. that may need to be adjusted, in order to meet the needs of disabled supporters. Clubs should ensure that they carry out regular access audits to ensure that reasonable adjustments are in place.

Taking, by way of example, match day programmes, the type of adjustment that may be required includes arranging for the programme to be available in different formats such as Braille, large print or audio tape. A number of factors will need to be considered when determining what alternative formats may be reasonable, including:

- Would it be feasible to produce, say, a Braille translation within the time available from the deadline for the programme and the match?
- Would certain information be capable of being transferred into alternative formats (for example, could a league table be reproduced on audio tape, and if not would it still be reasonable to put the rest of the programme on tape)?
- What would be the cost of production as against the likely demand?

Match day catering is another service that may need to be adjusted. Where catering is sub-contracted, the duties under the Act with regard to provision of the catering are likely to fall on the contractor. However, the club may be liable for issues relating to the accessibility of the facility, such as the need for a lowered counter.

As above, clubs should seek to ensure that accessible toilets for disabled people are available. Clubs should take steps to prevent use of these toilets by non-disabled people and thus ensure that they are available when required by disabled people. Toilets could be kept locked until required, although it should be possible for disabled people to easily obtain access when necessary (for example with a RADAR key).

Match Day Stewards

All club staff, including managers, who may be involved in providing services to the public should receive disability equality and awareness training. This should include stewards, whether or not they are paid by the club and whether or not they are employees of the club.

The club is likely to be responsible for stewards' actions, and if a steward discriminates against a disabled supporter then the club is likely to be liable for this. Stewards' training should therefore ensure that they are aware of the support available to disabled people and can either provide it themselves, or direct and/or accompany the disabled person to the correct location / staff member in order to access it.

The following are some examples of assistance that could be provided by stewards:

- Giving directions to disabled people to appropriate entry gates.
- Assisting disabled people from drop off points into the stadium.
- Ensuring that disabled parking bays are correctly used.
- Ensuring safe crowd flow through club shops.
- Supervising access to accessible toilets for disabled people.
- Assisting access to lower counters at catering and other concourse facilities.
- Hospitality stewards might carry food for disabled customers where otherwise arrangements are self-service.

Provision of other Services

As well as the match day issues described above, clubs are now frequently involved in the provision of other services, either themselves or in partnership with others.

Contractors and other companies with whom clubs work will have their own duties under the Act and can be expected to take the necessary steps to comply with them. However, clubs cannot ignore discrimination against disabled people by companies that they work with, and risk being liable (at least jointly) in respect of such conduct.

As with the provision of transport to away matches, clubs should: (a) seek to determine, in advance, whether there are any disability discrimination issues that could arise in relation to the contractual arrangements under consideration; and (b) consider whether any other specific obligations on the contractor (and the consequences for non-compliance with those obligations) should be clearly identified in the wording of the contract. Where contracts are renewed or new agreements entered into, these matters should be given further consideration and documented where appropriate.

The Equality and Human Rights Commission website www.equalityhumanrights.com has more information on the Equality Act and its implications, including specific guidance for service providers, which can be accessed by following this link:

<http://www.equalityhumanrights.com/advice-and-guidance/service-providers-guidance/>

For information regarding disability language & etiquette, see - <http://www.premierleagueopenforbusiness.co.uk/factsheets>

ANNEX 1

Definition of Disability in the Equality Act 2010

For the purposes of the Equality Act 2010, a disabled person is someone who:

- (a) has a physical or mental impairment, and
- (b) the impairment has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities.

Accordingly, there are four parts to the definition:

“A person with a physical or mental impairment”

The term mental or physical impairment should be given its ordinary meaning. It is not necessary for the cause of the impairment to be established, nor does the impairment have to be the result of an illness. A disability can arise from a wide range of impairments, which can be:

- mobility impairments;
- sensory impairments, such as those affecting sight or hearing;
- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
- progressive, such as motor neurone disease, muscular dystrophy, and forms of dementia;

- auto-immune conditions such as systemic lupus erythematosus (SLE);
- organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- learning disabilities;
- mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post-traumatic stress disorder, and some self-harming behaviour;
- mental illnesses, such as depression and schizophrenia;
- produced by injury to the body, including to the brain.

The impairment must have a **“substantial adverse effect”**

Substantial, in this context, means only “more than minor or trivial.” Accordingly, the threshold test is low. If an impairment is being treated or corrected (e.g. with medical treatment and/or the use of a prosthesis, other than with spectacles or contact lenses), the effect of those measures must be discounted before determining whether the effect is “substantial”. This is known as the ‘deduced effects’ principle.

Furthermore, the Act provides that an impairment which consists of severe disfigurement is to be treated as having a substantial adverse effect on the ability of the person concerned to carry out normal day to day activities (unless the disfigurement is a tattoo which has not been removed, non-medial body piercing, or something attached through such piercing).

In addition, where a person suffers from a progressive condition (e.g. muscular dystrophy, rheumatoid arthritis), the Act provides that the impairment is deemed to have a substantial adverse effect on the person’s ability to carry out normal day-to-day activities, if the condition is likely to result in such a situation.

With regard to children under the age of 6, an impairment is to be treated as having a substantial and long-term adverse effect on the ability of that child to carry out normal day-to-day activities, where it would normally have a substantial and long-term adverse effect on the ability of a person aged six years or over to carry out such activities.

The substantial adverse effect (on a person’s ability to carry out normal day to day activities) must be **“long term”**

This means that:

- It must have lasted, or be likely to last, at least twelve months;
- It is likely to last for the rest of that person's life; or
- It is likely to recur if it is currently in remission.

“Likely” in this context means “could well happen”, rather than on the balance of probabilities.

The impairment must have a substantial adverse effect on the person's ability to carry out **“normal day-to-day activities”**

In general, day-to-day activities are things people do on a regular or daily basis, and examples include shopping, reading and writing, having a conversation or using the telephone, watching television, getting washed and dressed, preparing and eating food, carrying out household tasks, walking and travelling by various forms of transport, and taking part in social activities. Normal day-to-day activities can include general work-related activities, and study and education-related activities, such as interacting with colleagues, following instructions, using a computer, driving, carrying out interviews, preparing written documents, and keeping to a timetable or a shift pattern.

In addition, the Act also specifically designates, as disabled persons:

- People with cancer, multiple sclerosis or HIV infection (even where the condition is currently “asymptomatic” and there is no substantial effect on the person's ability to carry out day-to-day activities).

People with the conditions below are expressly not covered by the Act:

- Those whose impairment consists only of addiction to nicotine, alcohol or any other substance (unless the addiction resulted from medically prescribed drugs or treatment).
- Those with conditions which result in a tendency to set fires (pyromaniacs), a tendency to steal (kleptomaniacs), a tendency to physical or sexual abuse, exhibitionism or voyeurism.
- Those with seasonal allergic rhinitis (hay fever), except where it aggravates the effect of another condition.

Further guidance regarding the definition of disability can be found in guidance issued by the Secretary of State on ‘matters to be taken into account in determining questions relating to the definition of disability’:

https://www.equalityhumanrights.com/sites/default/files/odi_definition_of_disability_equality_act_guidance_may.pdf

It should also be noted that:

- The law protects people who have been disabled in the past; and
- Anyone who is perceived to be disabled or is associated with a disabled person (such as a carer/personal assistant, family member, friend or partner) may also be protected under the Equality Act 2010.

Duties placed on Clubs by the Equality Act 2010

The Act makes it unlawful for a service provider (such as a football club) to discriminate against a disabled person in several different ways. The law is complex and extensive and the information below is a short summary to assist clubs. Where appropriate, specific legal or other advice should be sought on individual situations.

Forms of unlawful disability discrimination:

- Direct discrimination: treating a disabled person less favourably because of their disability.
- Discrimination arising from disability: treating a disabled person unfavourably because of something arising in consequence of their disability, where that unfavourable treatment is not a proportionate means of achieving a legitimate aim.
- Indirect discrimination: putting a disabled person and other persons sharing their disability at a disadvantage, in comparison with persons who do not have that disability, through the application of a provision, criterion or practice (PCP), unless that PCP is a proportionate means of achieving a legitimate aim.
- Failing to make a reasonable adjustment(s) – this can occur in three ways:
 - First, where a PCP puts a disabled person at a substantial disadvantage, by failing to take such steps as it is reasonable to have to take to avoid the disadvantage.
 - Second, where a physical feature puts a disabled person at a substantial disadvantage, by failing to take such steps as it is reasonable to have to take to avoid the disadvantage.
 - Third, where a disabled person would, but for the provision of an auxiliary aid (or auxiliary service), be put at a substantial disadvantage, by failing to take such steps as it is reasonable to have to take to provide the auxiliary aid (or service).
- Harassment: subjecting a person to unwanted conduct related to disability, which has the purpose or effect of: (a) violating the person's dignity, or (b) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.
- Victimisation: subjecting a person to a detriment because they have done a "protected act", or because it is believed that they have done, or may do, a "protected act". In broad terms, a "protected act" is a complaint or claim of discrimination (including disability discrimination) or assisting someone else in connection with their complaint or claim of discrimination.

With regard to the issue of reasonable adjustments, whether it is “reasonable” for clubs to make particular adjustments will be guided by a number of factors, including (but not necessarily limited to):

- how effective the adjustment will be in avoiding the disadvantage experienced by the disabled person;
- the practicability of making the adjustment;
- the cost of making the adjustment;
- the disruption (or lack thereof) that would be experienced in making the adjustment;
- the availability of other forms of assistance for the disabled person; and
- the organisation’s resources and size.

In addition, clubs should be aware that they have a duty to consider the needs of their disabled customers in advance of their seeking to access or use a particular service; if the needs of disabled service users can reasonably be foreseen, then steps should be taken in advance to ensure that they are not disadvantaged. Further, clubs should consider the issue of reasonable adjustments on an ongoing basis.

Clubs should seek solutions that have the widest and biggest positive impact for its disabled service users. However, clubs should always consider the specific needs of disabled individuals, and the fact that a range of adjustments have already been implemented obviously does not mean that a club can close its mind to the possibility of implementing new or different adjustments.

ANNEX 2

Attendance Allowance

AA is a benefit that helps with the extra costs of long-term illness or disability, which can be physical and/or mental. It is for people aged 65 and over.

There are two rates of Attendance Allowance. The higher rate of Attendance Allowance applies if the person:

- satisfies both the daytime and night-time tests; or
- is terminally ill

The lower rate of Attendance Allowance applies if the person:

- satisfies the daytime or night-time tests.

To satisfy the daytime test the person must demonstrate the need for one or both of the following:

- frequent help with personal care throughout the day (i.e. about three times or more);
- someone to check on them continually (i.e. frequently or regularly) throughout the day to make sure that they are safe.

To satisfy the night-time test the person must demonstrate the need for one or both of the following:

- help with personal care at least twice a night, or once a night for at least 20 minutes;
- someone to check on them at least twice a night, or once a night for at least 20 minutes, to make sure that they are safe.

Personal care needs include help with things like:

- getting in and out of a chair
- bathing and washing
- dressing and undressing
- help with medication and treatment
- getting in and out of bed and sleeping
- communicating
- eating and drinking
- seeing (ie you need someone to see for you)
- breathing
- using the toilet
- walking

To qualify as needing supervision the person must need someone to check on them regularly during the day to avoid a 'substantial danger'.

Disability Living Allowance and Access for Disabled Fans

DLA is paid to eligible claimants who have personal care and/or mobility needs as a result of a mental or physical disability. The benefit is being phased-out for the majority of claimants and replaced by PIP. DLA can still be claimed by children under sixteen and can still be received by existing claimants who were aged sixty five or over on 8 April 2013.

DLA care component is paid at one of three rates: lowest, middle and highest.

Individuals are entitled to the lowest rate care component if they are so severely disabled that they:

- require another person to give them attention in connection with their bodily functions for a significant portion of the day during a single period or a number of periods; or
- cannot prepare a cooked main meal for themselves provided they have all the ingredients and are aged 16 or over.

Individuals are entitled to the middle rate care component if they are so severely disabled that they:

- require another person to give them frequent attention throughout the day in connection with their bodily functions; or
- require prolonged or repeated attention during the night in connection with their bodily functions; or
- require continual supervision throughout the day in order to avoid substantial danger to themselves or others; or
- require, another person to be awake for a prolonged period or at frequent intervals at night, for the purpose of watching over them in order to avoid substantial danger to themselves or others.

Individuals are entitled to the highest rate care component if they meet one of the day conditions *and* one of the night conditions for the middle rate care component.

DLA mobility component is paid at one of two rates: lower and higher.

Individuals are entitled to the lower rate mobility component if they are so severely mentally or physically disabled that they cannot walk outdoors on an unfamiliar route without guidance or supervision from another person most of the time.

Individuals are entitled to the higher rate mobility component if they: -

- are physically disabled and as a result are unable, or virtually unable, to walk; or
- are physically disabled and the exertion required to walk would endanger their life or health; or
- have had both legs amputated at or above the ankle or were born without legs or feet; or are blind and deaf and need someone with them outdoors.
- are severely mentally impaired and have severe behavioural problems and receive the highest rate care component.

Personal Independence Payments and Access for Disabled Fans

PIP is gradually replacing most DLA. Claimants have to satisfy various residence and other requirements. Children under the age of 16 are not eligible to claim PIP but can claim DLA and continue to do so until they are 16 and some people over age 64 will continue to receive DLA. The process for reassessing people on DLA to consider their eligibility for PIP is ongoing, so there remain some people on DLA who have not yet transferred to PIP. Equally, some people who were on DLA were found not to be eligible for one or more levels of PIP.

Assessment criteria

PIP has two components – daily living and mobility. Both components are payable at a standard or enhanced rate, depending on the claimant's needs. To determine entitlement to the two components and the level of payment, individuals are assessed on their ability to complete a number of key everyday activities for example, relating to their ability to dress and undress, make budgeting decisions, communicate and getting around. Within each activity there are a number of descriptors, each representing a varying level of ability to carry out the activity. Individuals will receive a point score for each activity, depending on how well they can carry them out and the help they need to do so. The total scores will determine whether a component is payable, and if so, whether at the standard or enhanced rate. The entitlement threshold for each component is 8 points for the standard rate and 12 points for enhanced.

There are a total of 12 activities:

Daily living activities:

- Preparing food
- Taking nutrition
- Managing therapy or monitoring a health condition
- Washing and bathing
- Managing toilet needs or incontinence
- Dressing and undressing
- Communicating verbally
- Reading and understanding signs, symbols and words
- Engaging with other people face to face
- Making budgeting decisions

Mobility activities:

Planning and following journeys

Moving around

ANNEX 3

Disability Access Officers and Disability Liaison Officers

Premier League clubs have Disability Access Officers (required by our Rules); many also have Disability Liaison Officers. Each of these has their own club role, determined and directed by the club as their employer, and reports regularly to senior management/the board. The roles generally involve communication with disabled fans and formal and/or informal consultation on topical matters. DAOs and DLOs are also often engaged in dealing with complaints from individual disabled fans and seek to resolve them at club level if at all possible. The Premier League works with DAOs and DLOs on issues of league-wide relevance and also in promoting best practice. In summary:

- **Disability Access Officer**
 - Key advocate for disability and access requirements at the club
 - Project manage club work in relation to 2017 Accessible Stadia commitment
 - Work collaboratively with key club personnel, including senior management and Disability Liaison Officer
 - Key insight into improving matchday experience for disabled supporters
 - Focus on facilities management and development
- **Joint Elements**
 - Attend Fans Forums
 - Attend VisitFootball Access Debriefs
 - Create/manage content for club communications (i.e websites, Premier League App, Club policies, charters etc)
- **Disability Liaison Officer**
 - (Main) point of contact between club and disabled fans
 - Provide information and assistance with queries, including matchdays
 - Build relationships with disabled fans, and fan groups
 - Admin duties may include disabled ticket, parking, audio commentary bookings
 - Provide club with feedback from fans, help guide related policies and procedures