



Irish Building Control Institute

Disability Access Certificates

March 2010



ACCESS and USE

Adequate requirement for access

- Some examples of issues that may arise:

Shopping Centre

- accessible toilet provision made for the public
- some individual units have made toilet provision for staff
- is it also necessary for them to make provision for wheelchair users???*

Nursing Home (2-storey)

- 3 stairways
- should only 1 be made suitable for ambulant disabled people???*

Pub

- dropped counter provided for wheelchair users and people short in stature and accessible toilets also provided
- are loop systems to be provided at all counters???*

Nightclub

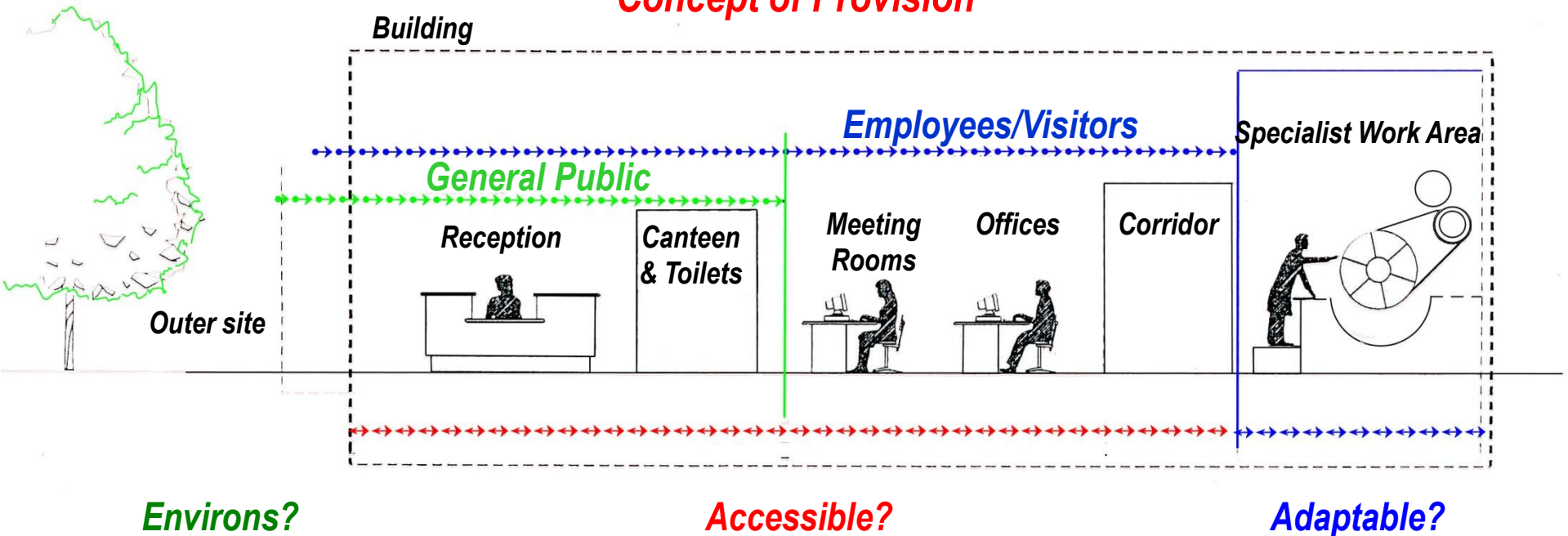
- accessible toilets, dropped counter, loop systems provided
- some users may have epilepsy-will strobe lighting allowed to be installed?*



ACCESS and USE

Access for everyone

Concept of Provision



- Draft Part M-requires that adequate provision shall be made for people to access and use a building, its facilities and its environs

How do you ensure that the needs of everybody are satisfied?

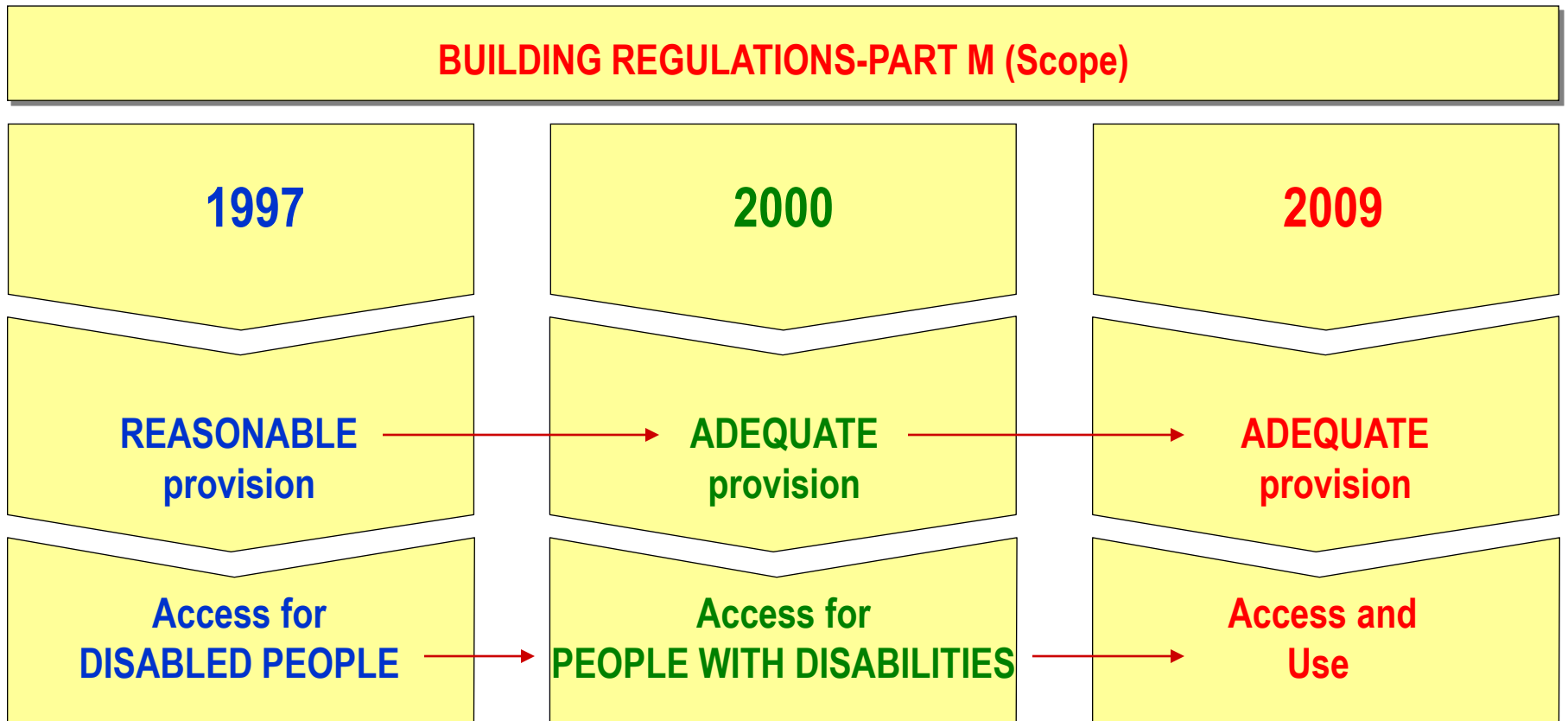


OVERVIEW

- 1963 - Designing for **the disabled** (RIBA) Selwyn Goldsmith
 - 1988 - Access for the Disabled 1 (NRB) **minimum design criteria**
 - 1990 - European Manual on Accessibility
 - 1991 - Building Regulations (Part M)
 - 1994 - A Strategy for Equality
(Report of the Commission on the Status of People with Disabilities)
- Disability Access Certification RECOMMENDED** ←
- 1997 - Building Regulations Revised Part M
 - 1998 - Employment Equality Act
 - Buildings for Everyone (NRB)
 - 2000 - Building Regulations Revised Part M
 - Equal Status Act
 - 2002 - Building for Everyone (NDA)
 - 2004 - Equality Act
 - 2005 - Disability Act
 - A Review of the Effectiveness of Part M (NDA)
 - 2007 - Building Control Act
 - 2009 - Building Regulations Revised Part M (DRAFT)
- 2010 - **Disability Access Certification IMPLEMENTED** ←



TERMINOLOGY





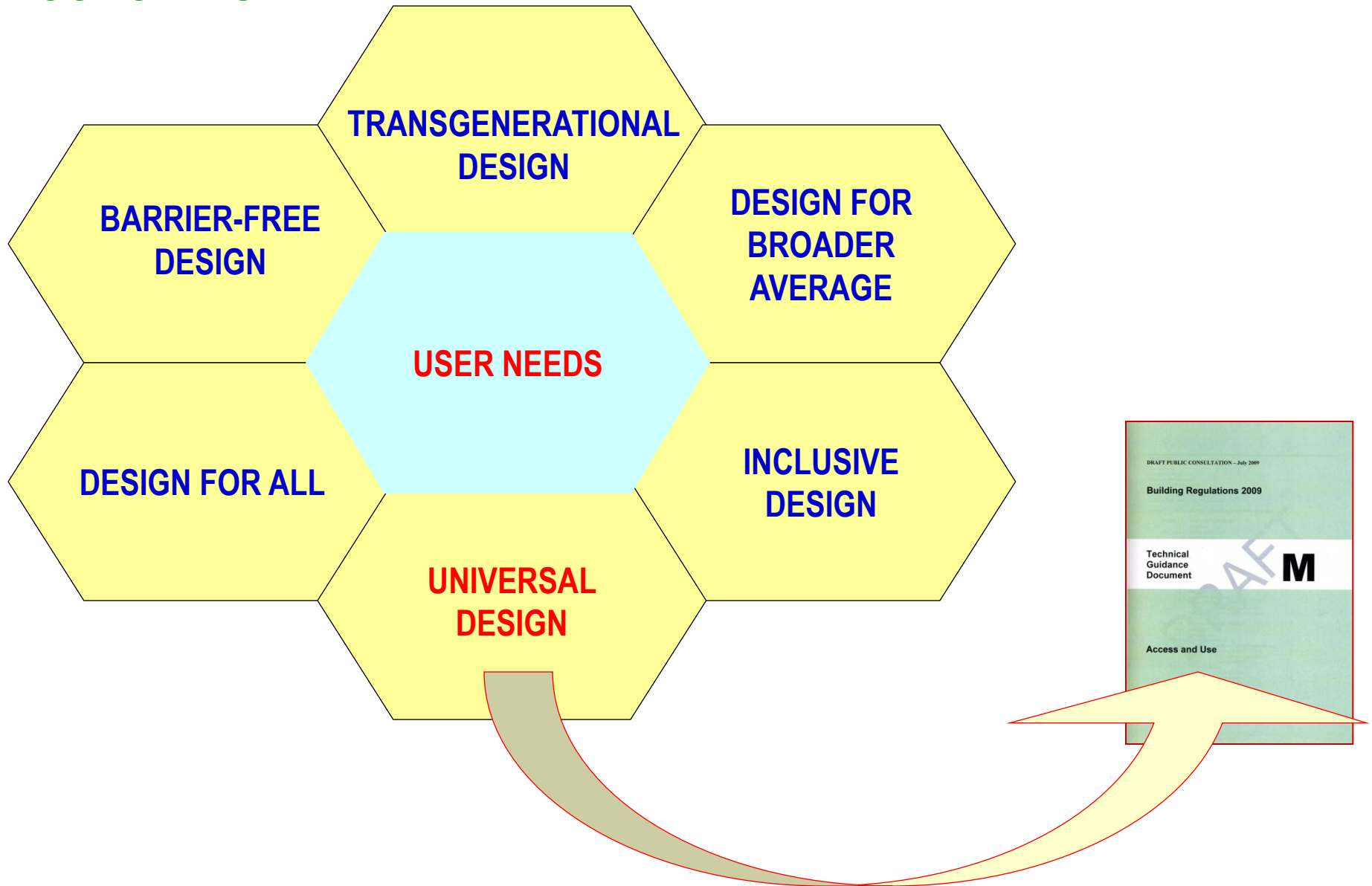
DEFINITIONS

BUILDING REGULATIONS-PART M (Scope)

<p>1997</p> <p>REASONABLE</p>	<p>Reasonable provision shall be made to enable <u>Disabled People</u> to have safe and independent access to a building and to those parts of the building to which it is appropriate to have access</p>
<p>2000</p> <p>ADEQUATE</p>	<p>Adequate provision shall be made to enable <u>People with disabilities</u> to safely and independently access and use a building</p>
<p>2009</p> <p>ADEQUATE</p>	<p>Adequate provision shall be made for <u>People</u> to access and use a building, its facilities and its environs</p>



CONCEPTS





BUILDING REGULATIONS

2009 Part M-DRAFT

- Part M aims to foster **an inclusive approach to design** and construction of the built environment
- The requirements of Part M (M1-M4) aim to ensure that regardless of age, size or disability:
 - buildings, other than dwellings, are accessible and usable
 - dwellings are visitable
- The principles of **Universal Design** underpin the requirements of Part M and is defined as:
 - the design and composition of an environment that can be **accessed, understood and used** to the greatest extent possible by **all people**, regardless of their age, size or disability

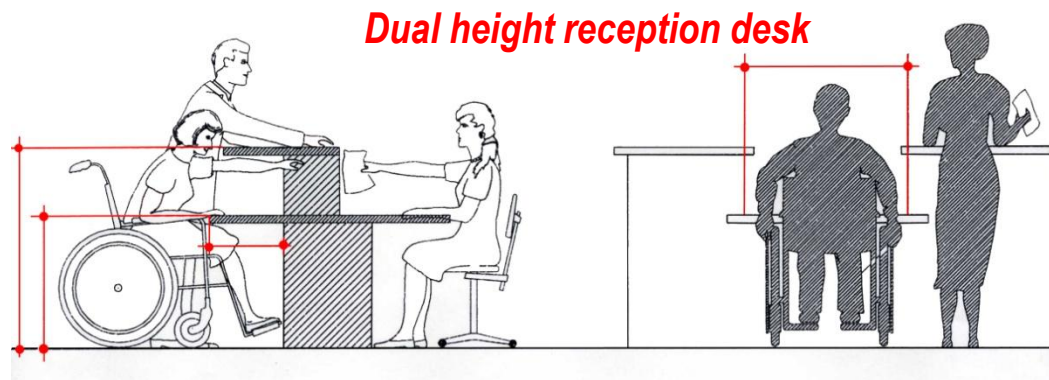
DESIGN APPROACH

UNIVERSAL DESIGN

Principles of Universal Design

→ Equitable

the design is useful and marketable to people with diverse abilities



→ Flexible

the design accommodates a wide range of individual preferences and abilities

Adjustable height Water fountain





UNIVERSAL DESIGN

Principles of Universal Design

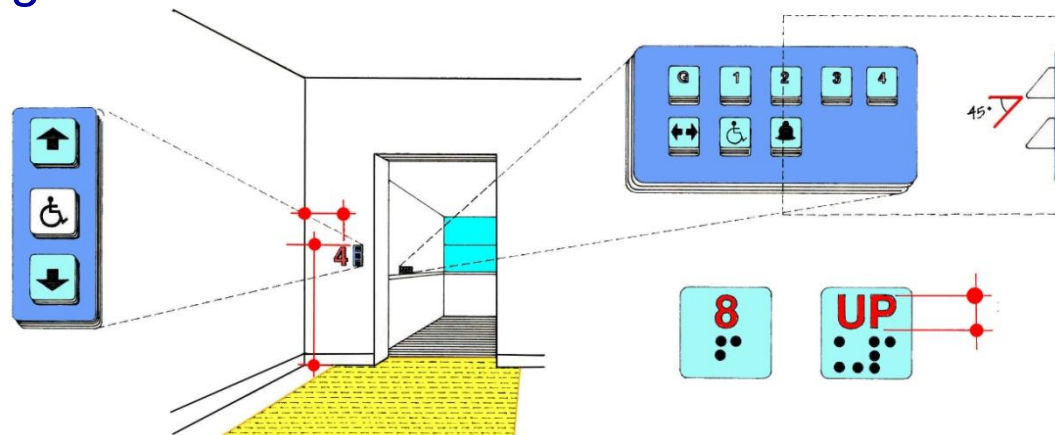
→ Simple and Intuitive

use of the design is easy to understand, regardless of the user's experience, knowledge, language skills or current concentration level



→ Perceptible Information

the design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities



Clear Lift Controls

DESIGN APPROACH

UNIVERSAL DESIGN

Principles of Universal Design

→ Tolerance for error

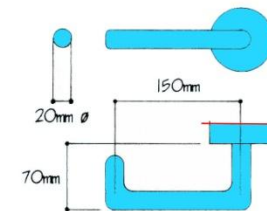
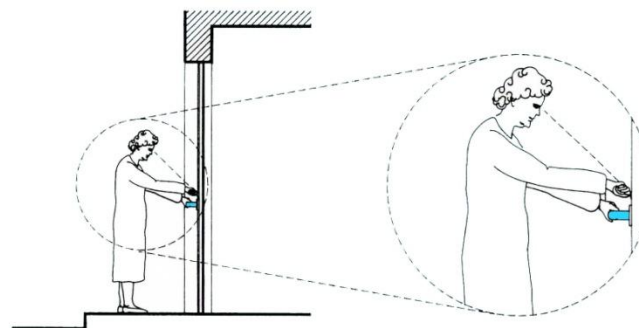
the design minimises hazards and the adverse consequences of accidental or unintended action



Pull cord alarm for toilets

→ Low physical effort

the design can be used efficiently and comfortably with a minimum of fatigue



Lever handle

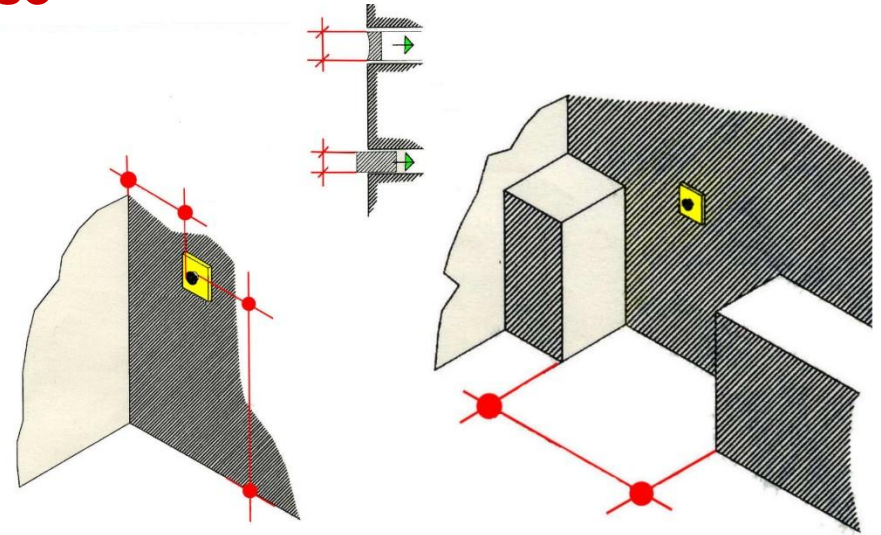
UNIVERSAL DESIGN

Principles of Universal Design

→ Size and space for approach and use

appropriate size and space is provided for approach, reach, manipulation and use, regardless of user's body size, posture or mobility

Easy access to switches



- *The Principles of Universal Design are not intended to constitute all criteria for good design, other factors are important, such as **aesthetics, cost, safety, gender and cultural appropriateness**, and these aspects must also be taken into consideration when designing.*



DEFINITIONS

BUILDING REGULATIONS-PART M (Scope)

1997 DISABLED PEOPLE	Definition: Disabled people means people who have an impairment of hearing or sight or an impairment which limits their ability to walk or which restricts them to using a wheelchair
2000 PEOPLE WITH DISABILITIES	Definition:(same as 1997) People with disabilities means people who have an impairment of hearing or sight or an impairment which limits their ability to walk or which restricts them to using a wheelchair
2009 PEOPLE	Not defined: People with a <u>wide</u> range of abilities

FRAMING USER NEEDS



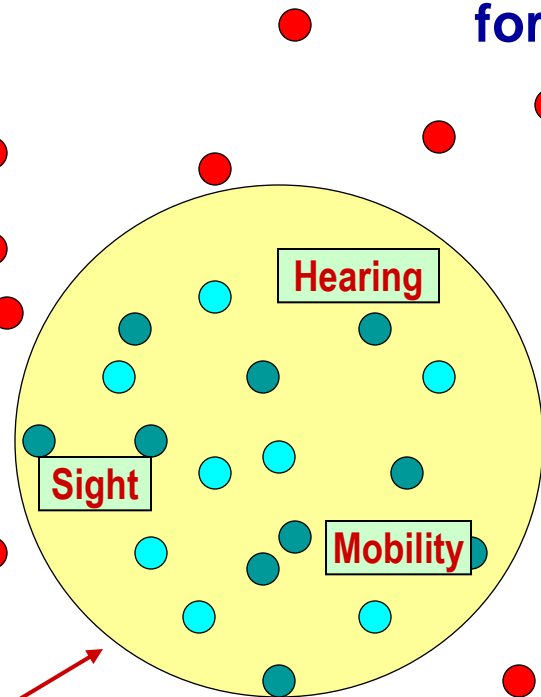
1997

Reasonable provision
for disabled people



2000

Adequate provision
for people with disabilities



Boundary identified

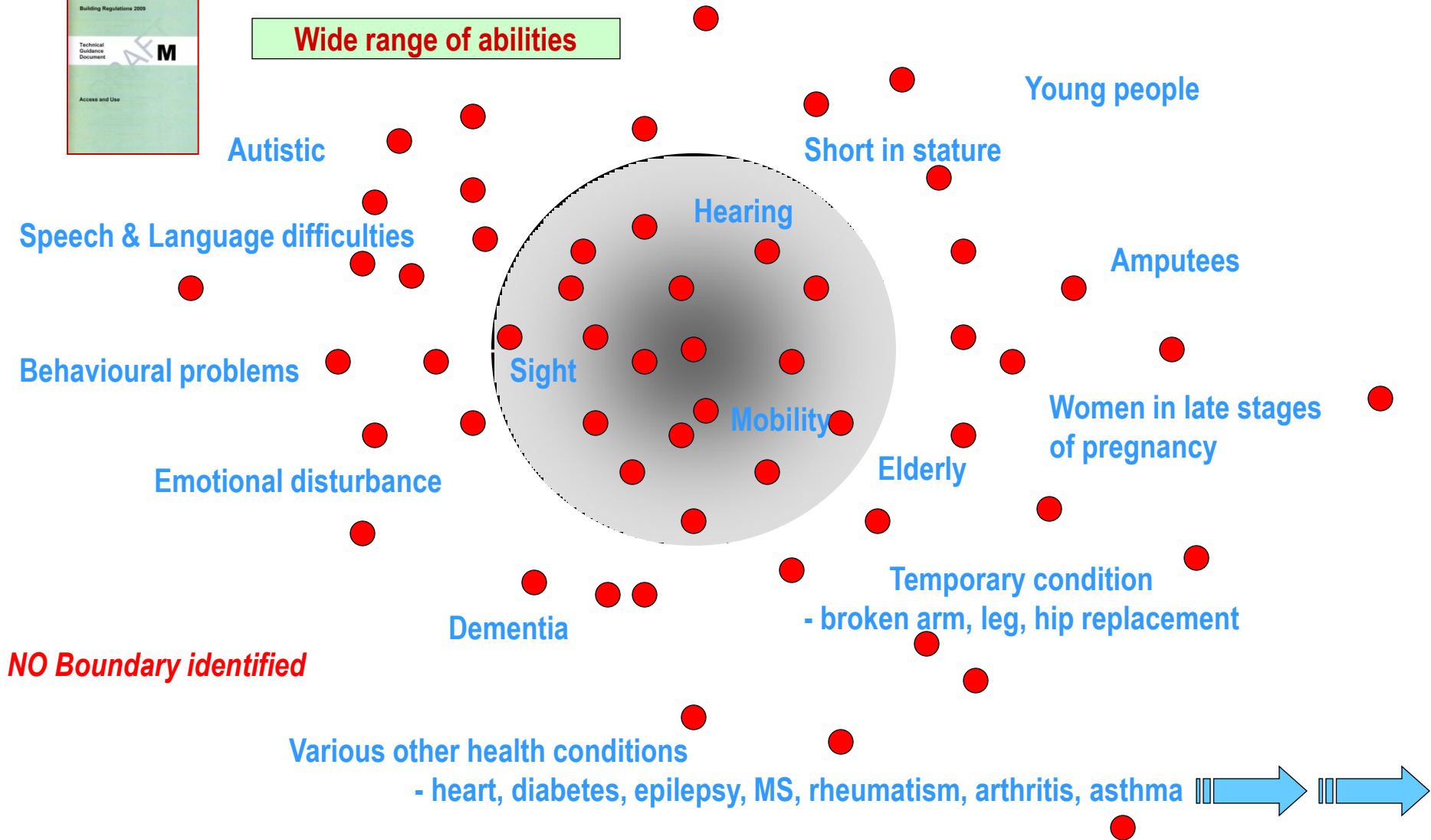


2009

Adequate provision for People



Wide range of abilities



NO Boundary identified



CERTIFYING THE UNDEFINED

HOW FAR DO YOU GO.....?

Draft Part M



Has removed boundary of disability

DISABILITY Access CERTIFICATION



Where do the boundaries lie?

- The range of building scenarios coupled with the diversity of human condition makes it impossible to satisfy all user needs
- The underlying design principle can only aspire to satisfy all

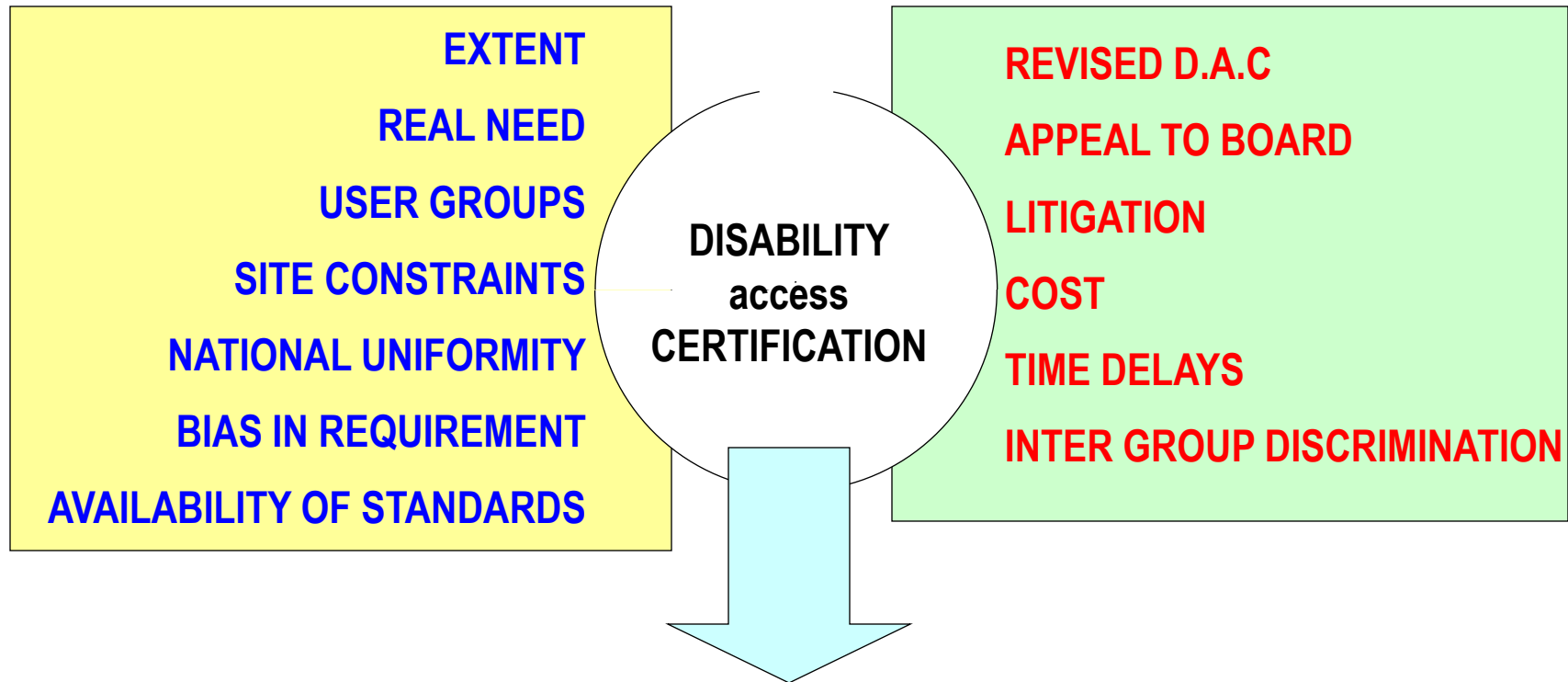


BEYOND PART M

HOW FAR DO YOU GO.....?

DIFFICULTIES in interpretation

CONSEQUENCES of MISinterpretation



GUIDANCE necessary to **SUPPORT** interpretation



CERTIFYING THE UNDEFINED

- To ensure a balanced approach:
 - ✓ Both designer and controller need a basis to
 - evaluate what is adequate outside that explicit in Draft Part M
 - evaluate the adequacy of alternative means of provision
 - ✓ Support/Guidance is required to:
 - establish consistency
 - evaluate investment of provision
 - determine if provision is warranted in relation to the extent of use
 - review aspects of conflicting need



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DISPUTES and RESOLUTIONS

- UK Building Control-Disputes and Complaints (at Planning Stage)
 - ✓ Most disputes are currently settled either between the parties themselves (through the Access Statement process)
 - or
 - ✓ By the use of alternative dispute resolution (ADR) schemes

Very few cases are referred to the Secretary of State
- Currently Irish Building Control dispute scenario (at Commencement Stage):
 - DAC
 - revised DAC
 - appeal to an Bord Pleanála
- The need for an effective resolution of disputes is even greater when encountered at a late stage



DISPUTES and RESOLUTIONS

- **Australian Building Control** are currently establishing an authorised body an “Access Panel” to advise the Building Control Authority on access related matters in an efficient and timely manner during the Building Approval process
 - ✓ Aims:
 - to have **consistent approach** when dealing with building matters relating to accessibility
 - administration of control systems
 - building control solutions
 - defining the extent of discretion that may be exercised
 - ✓ Deals with:
 - alternative approaches
 - modifications, exceptions
 - upgrade of existing buildings



SUGGESTION

- Options may need to be explored to assist both applicants and building controllers such as:
 - ✓ **Issue Guidelines**
 - case studies
 - evaluation matrix
 - ✓ **Formation of a Multidisciplinary Access Panel**
with relevant expertise consisting of representatives from the Department (DoEHLG), Building Control, designers and users, etc:
 - to act as a support mechanism to give timely, balanced opinion in areas of dispute
 - to evaluate alternative means of provision in the event of new developments in technology, practices and procedures
 - to provide feedback to the regulatory system to influence future developments
 - ✓ **Examine** the status and influence of the role of Access Consultant in the process



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