

Report to Cllr J Hunt, Cabinet Member for Finance

October 2020

Endorsement of Council Hub Accessibility Improvements

Report by Andrew Edwards, Director of Property & Assets

Electoral divisions: All

Summary

All employers have a legal obligation under the Equalities Act 2010 to accommodate staff and visitors with disabilities. West Sussex County Council (WSSCC) must also demonstrate 'Enhanced Public Duty' in the adjustments that are deemed reasonable. Since initial adjustments were made the cultural understanding of what is a reasonable adjustment has evolved and the use of Council Office spaces has also been modified. An accessibility audit has been completed of the main WSSCC administrative hubs and this has identified the works that should be done. A programme of works will be carried out at County Hall Chichester, Durban House Bognor Regis, County Hall North Horsham and Crawley library offices to ensure compliance and enhanced public duty. Pending confirmation of the status of Centenary House, Durrington, works will be limited there to those that are the most critical in the short term.

Recommendation: That the Cabinet Member endorses works to be carried out on Council buildings as detailed in paragraph 2.1 in the report and which are needed following an audit of compliance with accessibility requirements at the estimated value of £2.2m over four years beginning in 2020/21.

Proposal

1 Background and context

- 1.1 Following the introduction of the Disability Discrimination Act in 2005 (DDA) a number of reasonable adjustments were introduced to WSSCC workplaces to accommodate staff and visitors with disabilities. Since then cultural understanding of reasonable adjustments has evolved and the use of many of the properties has been modified. Consequently, there are situations where the adjustments are no longer sufficient or do not comply with current legislative requirements. The DDA has since been replaced by the Equality Act 2010. There is also a requirement on WSSCC to demonstrate enhanced Public Duty.
- 1.2 In 2019 a series of Accessibility Audits were conducted at the main WSSCC Administrative Hubs. The audits recorded a suite of actions to improve accessibility. They were categorised in order of priority and also indicated whether the beneficiaries would be staff or visitors. Many of the issues have

been resolved through management action, for example reconfiguring furniture layouts, changing policies or procedures. A further £300,000 worth of improvements have been achieved through maintenance and other change programmes (such as car parking improvements).

- 1.3 Within the balance of the remaining works it is considered prudent to hold in abeyance the £800,000 less urgent works at Centenary House, Durrington until the long-term future of the property is known.

2 Proposal Details

- 2.1 It is proposed that £2,200,000 is allocated from the Capital Improvement Fund to conduct accessibility improvement works at County Hall Chichester, Durban House Bognor Regis, County Hall North Horsham, and Crawley Library Offices and the most pressing works only at Centenary House Durrington.
- 2.2 These works will be primarily procured through existing FM term maintenance contracts and WSCC Construction Framework.
- 2.3 It is further proposed that the £400,000 worth of works that are categorised as revenue also be addressed but that funding in the first instance should be addressed from within the Director Property & Assets budget.
- 2.4 Examples of the types of works that will be undertaken are
 - a. External Routes
 - i. Better selection and designation of safe pedestrian routes through car parks. (Revenue)
 - ii. Repairs to hardstanding and pathways to make even. (Revenue)
 - iii. Provision of tactile warning paving
 - b. Approaches
 - i. Alterations to step widths
 - ii. Establishment of ramps or improvement of gradients
 - iii. Handrail enhancements
 - iv. Step nosings highlighted (Revenue)
 - v. Introduction or enhancement of assistance call points
 - c. Car Parking
 - i. Signage improvements
 - ii. Location and designation of disabled parking bays
 - d. Visual contrast
 - i. Differentiation of areas by carpet and flooring contrast (Revenue)
 - ii. Differentiation of doorways compared to walls (Revenue)
 - e. Lifts
 - i. Introducing wheelchair lifts, including for mezzanine levels
 - ii. Upgrading of wheelchair lift access and control configurations
 - iii. Introduction or enhancement of assistance call points
 - f. Doors
 - i. Upgrading doors to a 30N opening pressure
 - g. Toilet areas
 - i. Insufficient facilities in accessible areas
 - ii. Upgrade extant facilities to improve door opening and assistance call points
 - h. Acoustics
 - i. Introduce or upgrade hearing loops
 - i. Management Measures

- i. Meeting room configuration and prioritisation
- ii. Keeping circulatory spaces clear of obstructions, including bins
- iii. Prioritisation of locker allocation
- iv. Cabling and trailing leads suitably covered
- v. Tree and shrub maintenance
- vi. Leaf clearance
- vii. Cyclist use of footpaths
- viii. Policing of disabled parking – particularly contractor vehicles / loading and unloading activity
- ix. Configuration and decluttering of catering facilities
- x. Routine redecoration / re-carpeting to consider visual contrast issues

3 Other options considered (and reasons for not proposing)

- 3.1 **Do nothing.** This was discounted since it leaves WSCC non-compliant with the Equality Act 2010.
- 3.2 **Statutory quick wins only.** While this would render some improvement, WSCC would still not be compliant with the Equality Act 2010.
- 3.3 **All statutory works including longer term items.** This would address many issues but would not demonstrate the required 'Enhanced Public Duty' nor give the necessary example to other employers in West Sussex.
- 3.4 **Do all works including those at Centenary House Durrington.** Given the uncertainty of the long-term future of Centenary House at this stage it is considered reasonable to hold all but the most critical works in abeyance.

4 Consultation, engagement and advice

- 4.1 The audit was conducted by an accredited accessibility auditor. The WSCC Disabled Staff Group has been consulted throughout the process. The Cabinet Member for Economy and Corporate Resources has been consulted.

5 Finance

- 5.1 Revenue consequences

	Current Year 2020/21 £m	Year 2 2021/22 £m	Year 3 2022/23 £m	Year 4 2023/24 £m
Revenue budget		0.1	0.15	0.15
Change from Proposal		0.1	0.15	0.15
Remaining budget		0.0	0.00	0.00

- 5.2 Capital consequences are set out in the table below. The reprofiling of the capital programme to reflect the required work on accessibility arrangements will be reflected in the updated capital programme as part of the Budget Papers for 2021/22.

	Current Year 2020/21 £m	Year 2 2021/22 £m	Year 3 2022/23 £m	Year 4 2023/24 £m
Capital Improvement budget	0.2	0.4	0.5	0.9
Accessibility work programme	0.2	1.0	1.0	0.0
Remaining budget	0.0	-0.6	-0.5	0.9

5.3 The effect of the proposal:

(a) **How the cost represents good value**

This will make WSCC compliant with legislation and avoid financial and reputational damage as a result of a legal challenge.

(b) **Future efficiencies being delivered**

A more accessible venue for members of the public, elected members and staff

(c) **Human Resources, IT and Assets Impact**

This will enhance diversity and employability within the County Council.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Interpretation of spend as Revenue versus Capital. There is a risk that given the relatively low cost of some of the individual improvements that they will be deemed not to merit capital spend.	Early confirmation by WSCC Finance staff that building and fabric works identified as part of the accessibility programme will be considered capital. An increase in FM Revenue Budget specifically ring-fenced to address accessibility issues.
Planning constraints preventing optimum solutions being implemented. This is a particular challenge at County Hall Chichester and Edes House given the listed and conservation area status.	Early engagement with planning authorities and compromise options considered to achieve improvement while complying with planning concerns.

Safety issues, such as Fire Risk Assessments, could impact or preclude some audit recommendations.

Full consideration of building and safety issues to be part of solution development.

7 Policy alignment and compliance

7.1 This addresses the West Sussex Plan policies of a Council that Works for the Community and a Prosperous Place. This will enable WSCC to be compliant with the Equality Act 2010, including 'Enhanced Public Duty'. The best practice that this requires are outlined in [BS 8300-2:2018](#).

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