



4. Accessibility

What do we mean by accessibility?

Accessibility is the design of products, information, devices, services, vehicles, environments, etc so as to be easy to use by a wide cross section of the public, including by persons with disabilities.

What are accessibility Action Plans?

The duty to prepare accessibility action plans for publicly accessible buildings only applies to the public sector.

Along with changes to physical features, there is a five year lead-in period for the States to draw up these plans (1st October 2028).

The required process of developing Accessibility Action Plans within the public sector will allow the government to plan and reasonably budget for the changes that are required.

Claims involving failure to make changes to physical features of buildings cannot be made until five years after the legislation is enacted and, even then, the defence of progressive realisation will be available to the public sector so long as relevant and reasonable plans exist to correct the particular issue.

There will be no need for action plans outside the public sector.

There is no requirement for organisations outside the States to provide Action Plans but an organisation might find them useful and can refer to them if there is any dispute resolution required.

Is there a separate anticipatory accessibility duty?

No, but there is a proactive duty of service providers, schools and education providers in respect of disabled persons generally to provide reasonable adjustments. This is in line with the UK.

For more information see Section 33 of the draft Ordinance or see the sheet on reasonable adjustment.

Is there any accessibility duty relating to roads?

Yes, the States of Guernsey is under a duty, in relation to persons with disabilities, to consider how the public highway could be made more accessible and to make any changes it considers appropriate.

See our separate information sheet 5
Reasonable Adjustment

Where to find out more about accessibility

States of Guernsey Information guides
<https://gov.gg/business/inclusive>

Guernsey Access Guides
<https://www.accessable.co.uk/states-of-guernsey>

States of Guernsey BDF reviews (Business Disability Forum audits)
<https://gov.gg/disabilityreview>

Purple Tuesday access guides
<https://purpletuesday.org.uk>

UK Equality and Human Rights commission advice and guides
<https://www.equalityhumanrights.com/en/advice-and-guidance>

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The draft Prevention of Discrimination Ordinance (Guernsey) 2022 can be found on the States of Guernsey website:
www.gov.gg/article/190813/The-Prevention-of-Discrimination-Guernsey-Ordinance-2022

For more information on Discrimination Legislation and FAQ's

visit www.disabilityalliance.org.gg

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