

N·A·Re·S



National Association of Re-enactment Societies

Guidance notes for disability
discrimination

Permission is given for member groups to copy and disseminate.

General

This guidance document is primarily aimed at re-enactors who are working for a promoter, whether or not the service is being provided for a fee, and, under these circumstances, the majority of responsibilities to spectators will be those of the promoter. NAReS member groups may wish to reflect this in any contract.

Members

All re-enactment societies should be aware of the provisions of the Disability Discrimination Acts (1995 and 2005) and the requirements that, without adequate justification, a member with a disability should not be treated any less favourably than another and that, where necessary, reasonable adjustments shall be made to facilitate the participation of such members in the activities of the society and their access to its services.

The definitions of adequate justification and reasonable adjustment are not set out in law but are open to interpretation depending on the circumstances of any particular case. It should be noted however that adjustments that compromised the health and safety of members (included members with disabilities) are likely to be considered unreasonable.

Wherever possible, a safe and appropriate role in re-enactment should be found for all members, suitable to their abilities and the requirements of the historical presentation involved. Reasonable adjustments for the accommodation of the needs of persons with disabilities should be made as necessary, subject to the avoidance of fundamental alteration to the provision of the service, performance or presentation in question.

In the case of a person whose disability does not come upon them in a rapid and unexpected way (e.g. learning disability), a society's competence tests will normally demonstrate whether an activity is suitable for the individual, just as it does for those without disability.

In the case of those whose disability does come upon them in a rapid and unexpected way (e.g. epilepsy), consideration should be given to where the person could be and what activity they could be performing if their disability strikes. The worst case scenario should be considered but this assessment should also be tempered by the known likelihood of an attack.

In both cases if the individual feels that their condition has become more complex or significantly worse over time then they should bring this to the attention of their group and further competency testing or adaptations may be required.

Where any equipment necessary for the disabled to cope with their disability is not considered authentic to the period re-enacted, it may be permitted provided that it is not obvious and is used with discretion so as not to fundamentally compromise the authenticity of the re-enactment.

In cases of doubt concerning the interpretation of the legislation, it is recommended that independent legal advice be sought.

Public

Societies should note that they will be considered to be providing services to the public and will fall under the provisions of Part III of the Act. This will include making provision for members of the public with disabilities to access and view their performances, including (for example) the provision of appropriate routes through living history exhibits (consider access by wheelchairs and walking frames) and the availability of large print promotional or educational material (RNIB currently recommend font sizes 16 to 22 in a plain typeface).

References

Disability Discrimination Act 1995

<http://www.opsi.gov.uk/acts/acts1995/1995050.htm#aofs>

Disability Discrimination Act 2005

<http://www.opsi.gov.uk/acts/acts2005/20050013.htm>

Disability Rights Commission

<http://www.drc-gb.org/>

Disclaimer

NAReS guidance notes are based on what is believed to be current good practice. They are not intended to be exhaustive in their content and are open to revision.

These notes are intended for guidance only and should not be construed as being mandatory, or applying to all circumstances which may arise. They are designed to work in conjunction with any member groups' own rules, regulations or recommendations.

NAReS cannot be held responsible for the actions of other official bodies, or for the imposition or effect of any legislation/regulation of which it was unaware at the date of issue of this guidance note.



