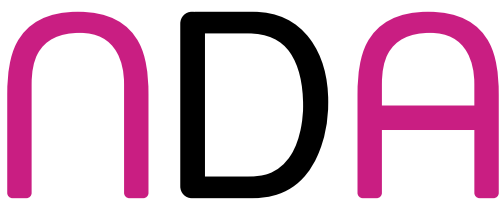


Code of Practice on
**Accessible
Heritage
Sites**



Údarás Náisiúnta Míchumais
National Disability Authority

This Code of Practice has been declared by order an approved code of practice for the purposes of the Disability Act, 2005. S.I. No. 484 of 2011 refers and is entitled “Disability Act 2005 (Code of Practice) (Declaration) Order 2011”.

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Foreword

The National Disability Authority (NDA) is the lead state agency on disability issues and universal design, providing independent expert advice to the Minister for Justice and Equality on policy and practice.

The vision of the NDA is the creation of an inclusive Irish society in which people with disabilities enjoy equal rights and opportunities to participate in the economic, social and cultural life of the nation and of an environment which is accessible to all. Improving access to heritage sites for people with disabilities is one important step in achieving this vision of equal participation.

Section 29 of the Disability Act 2005 places a statutory obligation on the head of a public body to ensure that, as far as practicable, the whole or a part of a heritage site in its ownership, management or control and to which the public has access, is accessible to people with disabilities and can be visited by them with ease and dignity. This obligation does not apply if it has a significant adverse effect on the conservation status of a species or habitat or the integrity of a heritage site or if it would compromise the characteristics of the heritage site. No adaptations or modifications of any heritage site can be taken that are contrary to law.

This Code of Practice is designed to guide public bodies in meeting their statutory obligation under the Act by providing practical advice and examples. It is the product of a national consultation process undertaken by the NDA which included consultation with all Government Departments and has been approved by the Minister for Justice and Equality, Mr. Alan Shatter T.D.

I hope that this Code of Practice will ensure that our unique, beautiful and diverse heritage in Ireland is shared and accessed by all, including people with disabilities.

Peter McKeivitt
Chairperson,
National Disability Authority

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1. Introduction

The Disability Act 2005 (referred to throughout this Code of Practice as ‘the Act’) is a positive action measure, which provides a statutory basis for making public services accessible.

This Code of Practice has been prepared by the National Disability Authority (NDA) under section 30 of the Act, to guide public bodies on how to meet the obligation under section 29 of the Act concerning access to heritage sites.

It sets out the obligations of the head of a public body and provides guidance to ensure that, as far as practicable, the whole or a part of a heritage site in the ownership, management or control of a public body, and to which the public has access, is accessible to people with disabilities and can be visited by them with ease and dignity. This shall not apply if its application would -

- (i) have a significant adverse effect on the conservation status of a species or habitat or the integrity of a heritage site, or
- (ii) compromise the characteristics of the site.

The legislation also states that any attempts to improve access should not be construed as authorising or requiring the adaptation or modification of any heritage site contrary to law (see the text of section 29 of the Act on “Access to heritage sites” in Appendix I).

In many cases, with careful design, it may be possible to improve the physical accessibility of the site or the historic structure in an unobtrusive way. However, there may be instances where it is not possible to readily design accessibility measures which are compatible with maintaining the character and significance of the site or building. For example, some sites were taken into state ownership to protect and preserve the heritage for future generations. Many sites have no public access to them perhaps because they are surrounded by land that is not in public ownership; other sites provide little or no facilities of any kind for visitors.

It is important to use this Code along with more detailed and technical documents – see Appendix 4 for a selection of publications. Access solutions are not limited to those set out in this Code. The Code also acknowledges other legislation such as the Planning and Development Acts, National Monuments Acts and Wildlife Acts, which apply when adaptations or modifications are being considered.

In the case of architectural heritage, attention is drawn to *Architectural Heritage Protection: guidelines for planning authorities* published by the Department of the Environment, Heritage and Local Government (2004) - particularly Chapter 18: Improving Access. These are statutory guidelines to which planning authorities must have regard when considering proposed alterations to protected structures or to structures within architectural conservation areas.

The Code is supported by the associated complaints process which will apply under sections 38, 39 and 40 of the Act (see Appendix 1 for their text).

The Code is available in a range of accessible formats (see Appendix 3 for the list).

Who will benefit from these provisions?

The Act is designed to improve access to heritage sites for persons with disabilities. The term disability for the purposes of section 29 of the Act is defined in section 2 of the Act, i.e.:

“in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in

social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment”.

Providing access for persons with disabilities to heritage sites can mean that the sites become more accessible to a wider group of people, including elderly people and staff members with disabilities.

Addressing accessibility issues

To ensure heritage sites are accessible it is important to be aware of the obstacles encountered by persons with physical, sensory, intellectual or mental health impairments. Their needs will vary and will inform the kind of action that is appropriate and what can be delivered.

Obstacles to accessibility for people with disabilities encompass a broad range of elements including, for example:

- Information, where presented in inaccessible formats;
- Lack of awareness of the needs of people with disabilities;
- The physical environment e.g. the characteristics of the site itself, poor acoustics, design, layout, signage, lighting, etc.;
- Service design, e.g. where systems, procedures and practices can present obstacles.

Heritage sites can be made more accessible when they are developed and adapted to meet the needs of those individuals who may otherwise not have access to them.

In general, this can be facilitated by adopting a proactive and consultative approach to design and service delivery that does not compromise either the architectural, archaeological, or natural heritage characteristics of a heritage site.

Making a heritage site accessible is as much about common sense and good management, as it is about trying to make physical alterations. Where material changes are not possible there may be other practical steps or actions to be taken to enable people to enjoy the experience of the heritage site.

Public bodies should use this Code in conjunction with the NDA's Code of *Practice on Accessibility of Public Services and Information provided by Public Bodies*.

When considering the issue of providing access to heritage sites, the heads of public bodies should also take account of the provisions set out in section 5 of the Act with regard to financial resources (see the text of section 5, "Provision of resources and extent of provision" in Appendix I).

Structure of the Code – Core Elements

The principal section of the Code of Practice is set out as core elements of the journey sequence through a heritage site which public bodies need to consider when implementing the Code. This journey sequence covers the essential components of a visit to a heritage site from planning for accessibility to exiting the site.

At each stage of the journey sequence there are potential barriers to accessibility. A range of suggested interventions are set out that public bodies can consider, draw on and implement to assist them in meeting the goals set out below. This range of suggestions is not exhaustive and not all suggestions will be applicable to all sites.

Each core element includes information on:

- The rationale for each element;
- Suggestions that public bodies may find useful in considering what they might do; and
- Specific, overall goals for which public bodies should aim. These are as follows:
 - A public body should develop an access plan and integrate accessibility into its work plans and customer service plans for the heritage sites within its ownership, management or control to which the public has access;
 - A public body should provide pre-visit information about the heritage sites in its ownership, management or control to which the public has access. This should be available in accessible formats and on an accessible website that has Level AA conformance to the Web Content Accessibility Guidelines (WCAG) for websites;

- The principal public entry point to the heritage site, and the route to this location, should, where practicable, be accessible;
- Wayfinding features, where provided, should be accessible and be designed in a manner that complements the character of the heritage site;
- The external landscape of a heritage site should be accessible, in so far as this is possible without compromising the character of the heritage site, damaging the natural environment or compromising landscape character;
- People with disabilities should be able to circulate within a building in a manner consistent with the general public where the architectural, archaeological and natural heritage integrity of the site allows;
- Interpretive information, where provided, should be accessible;
- Programmes, meetings and events should be accessible, where practicable;
- Where public facilities are provided, accessible public facilities should be provided, where practicable;
- Heritage sites should have a plan in place to ensure that all site users can safely evacuate the location at all times, as required by relevant legislation. The plan should be backed up by trained staff, to cater for the safe egress of people with disabilities from the site and to assist them in the event of an emergency departure.

2 Scope, Aim and Application of the Code of Practice

Scope

Section 29 of the Act (see text at Appendix 1) is the focus of this Code of Practice.

In this section the head of a public body shall, as far as practicable, ensure that the whole or a part of a heritage site in its ownership, management or control to which the public has access is accessible to persons with disabilities and can be visited by them with ease and dignity.

The requirement does not apply if disability access would have a significant adverse effect on the conservation status of a species or habitat or the integrity of a heritage site or compromise the characteristics of the site. For example, some sites were taken into state ownership to protect and preserve the heritage for future generations. Many sites have no public access to them perhaps because they are surrounded by land that is not in public ownership; other sites provide little or no facilities of any kind for visitors.

Also nothing in this section shall be construed as authorising or requiring the adaptation or modification of any heritage site contrary to law.

What heritage sites are covered?

The heritage sites covered by the Code are defined in section 29(3) of the Act and include:

- a monument within the meaning of the National Monuments Acts 1930 – 2004;
- a heritage building or a heritage garden or park within the meaning of the Heritage Act 1995;
- a protected structure or a proposed protected structure with any attendant grounds, or an architectural conservation area, within the meaning in each case of the Planning and Development Act 2000;
- a nature reserve which is the subject of an establishment order within the meaning of the Wildlife Acts 1976 and 2000; and
- a national park owned by the State and under the management and control of the Minister for the Arts, Heritage and the Gaeltacht.

Reference to the above-mentioned legislation includes any existing, or subsequent, legal instruments arising from such legislation that are relevant to the content of this Code.

This Code does not apply on a statutory basis to:

- Sites in private ownership;
- Approved buildings (including surrounding gardens) or approved gardens existing independently, where the owner/occupier is in receipt of tax relief under section 482 of the Taxes Consolidation Act 1997.

Such sites would be subject to the reasonable accommodation requirement of the Equal Status Acts 2000-2004. Further information on reasonable accommodation is available from the Equality Authority (see Appendix 5 for contact information).

Where a heritage building is owned, occupied, managed or controlled either wholly, or in part, by a public body and this building is the location from which that public body ordinarily conducts its business, the head of that public body is obliged to consider how to make those parts of the building, to which the public has access, accessible to people with disabilities while preserving the integrity of the building.

It is important to keep in mind that the solutions and guidance set out in the journey sequence are as applicable to this type of heritage building as they are to a heritage building that serves a cultural and tourist/visitor function. As is the case with all heritage sites not all of the suggested solutions and guidance will be relevant to each heritage building.

Which public bodies are covered by the Code?

The Code applies to a wide range of public bodies, diverse in the nature of their work and size.

The public bodies covered by the Code are defined in section 2 of the Act to cover:

- (a) a Department of State;
- (b) the Office of the President;
- (c) the Office of the Attorney General;
- (d) the Office of the Comptroller and Auditor General;
- (e) the Office of the Houses of the Oireachtas;
- (f) a local authority;
- (g) the Health Service Executive;
- (h) a person, body or organisation (other than the Defence Forces) established -
 - (i) by or under any enactment (other than the Companies Acts 1963 to 2003), or
 - (ii) under the Companies Acts 1963 to 2003, in pursuance of powers conferred by or under another enactment, and financed wholly or partly, whether directly or indirectly, by means of moneys provided, or loans made or guaranteed, by a Minister of the Government or shares held by or on behalf of a Minister of the Government.

Aim

This Code has been developed in order to support public bodies in fulfilling their statutory obligation under section 29 of the Act.

The aim of the Code is to strike a reasonable balance between the different policy priorities of providing disability access and conserving, preserving and protecting heritage sites. This approach is necessary to avoid situations occurring where full access provision might require adaptations or modifications which would significantly detract from the heritage of a site and would consequently not be granted permission by the relevant consent authority. However it is often possible through careful design and planning to devise solutions which respect both heritage considerations and disability access.

The provisions also allow for adherence to Ireland's obligations under various EU regulations for the protection of endangered species and natural habitats.

The Minister signed a declaration order declaring the Code an approved code of practice for the purposes of the Disability Act 2005. Public bodies – as outlined above – who comply with this Code are deemed to be compliant with the legislation. Section 30(6) states “compliance by a public body with an approved code of practice shall be deemed to be compliance with the relevant provision of this Act” (see Appendix 1).

Application

This document is a practical guide for public bodies, giving examples of actions to make heritage sites accessible to people with disabilities.

It will also provide a useful source of information for people with disabilities accessing these heritage sites, their advocates, and organisations representing people with disabilities.

The Code should be used in conjunction with other legislation, regulations and guidelines that apply to this area. A range of more detailed and technical information resources is set out in the bibliography in Appendix 4.

Objectives of this Code

The objectives of this Code are to:

1. Support public bodies by providing a practical interpretation of the requirements of section 29 of the Act via a journey sequence through a heritage site set out in pages 19 to 31 of this Code; and
2. Give practical advice on how these requirements can be met while appreciating the range and diversity of heritage sites involved and the need to balance accessibility with site conservation, preservation and protection.

3. Status of this Code of Practice

General

The Code provides guidance on section 29 of the Act, which imposes a significant statutory duty upon public bodies and came into effect from 31 December 2007.

Public bodies that comply with this Code are considered to be in compliance with the Act (see section 30(6) in Appendix I).

The National Disability Authority Act 1999 (NDA Act) provides that the NDA will monitor codes of practice it has developed and that are approved by the relevant Minister. Paragraph 8(2)(d) of the NDA Act, sets out the NDA's monitoring functions:

“to monitor the implementation of standards and codes of practice in programmes and services provided to persons with disabilities and to report to the Minister thereon”.

Obligations in relation to the Disability Act 2005

Under section 29 of the Act, the head of a public body shall, as far as practicable, ensure that the whole or a part of a heritage site in its ownership, management or control to which the public has access is accessible to persons with disabilities and can be visited by them with ease and dignity.

Section 29 of the Act outlines a number of key issues that the head of the public body needs to take into consideration in ensuring that the heritage site is accessible:

- **Practicability:** the obligation applies as far as practicable, e.g. deciding whether something is practicable may be guided by conservation considerations;
- **Scope:** where it might not be possible to make the entire site accessible, the Act provides for part of a heritage site to be accessible. The provisions do not apply if they would have a significant adverse effect on the conservation status of a species or habitat or the integrity of a heritage site or compromise the characteristics of the site. Also no adaptations or modifications of any heritage site can be made that are contrary to law;
- **Public access:** the obligation applies only to sites to which the public has access.

In the case of certain public transport buildings, the sectoral plan prepared by the Department of Transport, under sections 31 and 34 of the Act, specifies the timeframe(s) for making particular public transport buildings accessible (see section 31(5) of the Act).

Under section 38 of the Act, in relation to the failure of the body to comply with section 29, a person may, by himself or through another person, make a complaint in writing to the head of a public body in relation to this concern. The Act sets out, in section 39, that the head of a public body shall draw up procedures in relation to the making and investigation of such complaints. This section also makes provision for the appointment of one or more inquiry officers to handle such a complaint. If the complainant is not satisfied with the outcome of their complaint they can appeal to the Ombudsman as provided under section 40 (see Appendix 1).

Responsibility and Accountability

Section 29 of the Act places the obligation on the head of a public body to ensure that the body complies with the provisions set out in that section. The head of a public body is defined in section 2 of the Act as being: “the person who holds, or performs the functions of the office of the chief executive officer (by whatever name called) of the body”.

This Code aims to support the head of the public body in meeting their obligations under the Act.

When implementing the Code, public bodies should seek advice, when necessary, from relevant bodies with a responsibility for, and expertise in, the conservation, preservation and protection of heritage sites (see Appendix 2).

4. Core Elements of the Code

The relevant sections of the Act for this part of the Code are sections 5 and 29 (see Appendix 1). Readers of this Code should be aware that the provisions of this Code cannot override or amend section 5 or section 29.

4.1 Planning for Accessibility

4.1.1. Rationale

Improving the accessibility of a site requires planning and ongoing management to respond to changing needs and to ensure that improvements are maintained. Staff training, accessibility awareness and good management can minimise the need for physical alterations.

4.1.2 Goal

A public body should develop an access plan and integrate accessibility into its work plans and customer service plans for the heritage sites within its ownership, management or control to which the public has access.

4.1.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- Undertaking comprehensive heritage inventories to identify what they own and undertaking access audits of their heritage sites – carried out by suitably qualified persons - to identify the barriers to accessibility along the journey sequence and highlight these barriers in their pre-visit information;
- Consulting with people with disabilities when conducting these access audits in order to capture their diverse needs and to best identify the different barriers to accessibility that are to be addressed along the journey sequence;
- Ensuring that access auditors appointed to work on heritage sites have the necessary expertise and competence in the relevant area(s) of heritage protection to deal with the unique characteristics of each site;
- Ensuring that accessibility is an integral feature of their customer service action plans and, where applicable, strategic plans or strategy statements;
- Placing these action plans on their websites;
- Ensuring that front line staff are given disability awareness training to enable them to provide appropriate information and assistance to people with disabilities.

4.2 Pre-visit Information

4.2.1 Rationale

The diverse needs of people with disabilities need to be considered when preparing and publicising pre-visit information for heritage sites. This information is essential to ensure that people with disabilities are aware of which parts of the site have limited or no accessibility.

4.2.2 Goal

A public body should provide pre-visit information about the heritage sites in its ownership, management or control to which the public has access. This should be available in accessible formats and on an accessible website that has Level AA conformance to the Web Content Accessibility Guidelines (WCAG) for websites.

4.2.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- The provision of accessible pre-visit information about the site to all potential visitors to a heritage site;
- The highlighting of accessible transport routes to the site and provision of co-ordinates for satellite navigation systems;
- The highlighting of accessible parking features;
- The provision of accessible information on how people with disabilities can journey through the site;
- Highlighting which parts of the site are not accessible to people with disabilities due to the need to preserve the character and special interest of a site or the need to maintain an environment for the benefit of the local flora and fauna;
- The provision of information leaflets in accessible formats;
- The provision of information on where assistance dogs can accompany their owner on site;
- The provision of an opportunity to people with disabilities to comment on their visitor experience in an accessible format.

4.3 Approach and entry

4.3.1. Rationale

The approach and entry to a heritage site is an important stage in the journey sequence. Entry to a site can vary to include open access to a national park, negotiation of unstaffed gates for a monument, secure and ticketed entry and an office reception desk. The location and layout of parking and set-down areas is an essential early step.

However, at many heritage sites, particularly archaeological monuments, no parking or set-down areas of any kind are provided.

The principal public entry point may not always be a front entrance, but is the entry that most people will use in order to enter the site. It is often the starting point for visitors (e.g. information or reception desk or office or the point from which interpretation starts).

4.3.2 Goal

The principal public entry point to the heritage site, and the route to this location, should, where practicable, be accessible.

4.3.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

Approach:

- The provision of appropriately marked, accessible, level parking bays laid out as near as possible to the principal public entry point to the site or point of interest;
- The provision of appropriately marked, accessible parking bays with side and rear hatched transfer zones for removal and set up of a wheelchair from the boot of a vehicle or for use of rear-, or side-mounted wheelchair hoists;
- The provision of appropriately marked, accessible, level coach parking bays laid out as near as possible to the principal public entry point to the site or point of interest;
- The provision of appropriately marked, accessible coach parking bays with side and rear hatched transfer zones for the use of rear-, or side-mounted wheelchair hoists;
- The provision of signs indicating that a bay is designated an accessible parking bay that are visible to all above ground level;
- Ensuring the availability of staff during busy periods to discourage the misuse of accessible parking bays;

- The provision of well-lit car parks and, where practicable, covered spaces or walkways that complement the character of the site;
- The provision of accessible drop-off and pick-up points laid out as near as possible to the principal public entry point to the site or point of interest;
- The provision of accessible drop-off and pick-up points with side and rear hatched transfer zones for removal and set up of a wheelchair from the boot of a vehicle or for use of rear-, or side-mounted wheelchair hoists.

Entry

- The provision of well defined step-free, barrier-free routes to the main accessible entrance or point of interest in keeping with the character of the site;
- The provision of permanent ramps that complement the character of the site where possible, or temporary ramps where permanent are not possible;
- The installation of handrails on steps in keeping with the character of the site;
- The provision of firm level surfaces from the parking area to the entrance;
- The provision of trained staff to assist people with disabilities;
- The installation of reception desks on a clear, visible and direct route from the entrance doors;
- The installation of reception desks that are designed for use from both sides at a suitable height for people standing and for people sitting down or using a wheelchair;
- The installation of unobtrusive platform lifts in keeping with the character of the site;
- The provision of an alternative accessible entrance at ground level, where the main entrance to the building is inaccessible due to steps, higher level, etc., ensuring an accessible route from that point.

4.4 Wayfinding

4.4.1 Rationale

Wayfinding is the term used to describe the information available on site to help people navigate around it. There can be visual, tactile and audio wayfinding, a complete wayfinding system or a standalone sign. Clear and consistent wayfinding signage and information is critical to ensure ease of movement throughout a heritage site and to facilitate ease of exit from the site.

4.4.2 Goal

Wayfinding features, where provided, should be accessible and be designed in a manner that complements the character of the heritage site.

4.4.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- The provision of wayfinding information in a range of accessible formats;
- The provision of signage with text in large sans serif font set in good visual contrast to a matt background;
- The provision of signage in simple language, with upper and lower case letters (rather than all upper case) supported by internationally recognised pictograms or symbols;
- The provision of wayfinding paths that are laid out in a manner that reduces encounters with sharp turns and protruding obstacles;
- The provision of lighting and acoustics set at an appropriate level so that people with sensory impairments can circulate around the site;
- The provision of an accessible site map available to indicate facilities and routes.

4.5 External landscape

4.5.1 Rationale

An accessible external landscape is important if people with disabilities are to have the opportunity to experience what a heritage site has to offer. However, at many heritage sites, the external landscape is intentionally not generally accessible in order to protect the heritage of the site, for example to protect rare species or to protect elements of built heritage. In such cases, only limited access to any user may be provided. The external landscape may include the heritage landscape or the setting for a heritage building or monument. It might include paths, resting points, activity areas and viewing points.

4.5.2 Goal

The external landscape of a heritage site should be accessible, in so far as this is possible without compromising the character of the heritage site, damaging the natural environment or compromising landscape character.

4.5.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- The provision of accessible paths, routes and trails in keeping with the character of the site;
- The provision of benches and chairs with arms and backs at frequent rest points along paths, routes and trails, set back so there is no obstruction of other users;
- The provision of areas adjacent to rest points that are wide, flat and smooth to facilitate ease of movement;
- The provision of shelters, appropriate to the site's character, at rest points;
- The provision of tapping rails for vision impaired visitors;
- The monitoring and regular maintenance of paths, routes and trails;
- The provision of access to rougher or less firm terrain over short distances with different types of boardwalk and other sustainable trail solutions;

- The use of alternatives to loose gravel for paths, routes and trails into the natural landscape;
- The provision of boardwalks that are covered in materials that reduce slipping in damp areas;
- The provision of handrails, appropriate to the site's character;
- The provision of tactile terrain markers at regular intervals or at points of interest;
- The maintenance of lawns and grassed areas to ensure that they are cut regularly during the growing season.

4.6 Circulation within buildings

4.6.1 Rationale

Easy and safe circulation within buildings is at the heart of the visitor experience. However, many heritage sites including castles and other fortifications were deliberately designed to restrict access and this may be an important feature of the site's significance. Internal circulation covers horizontal and vertical routes to public areas of interest, meeting rooms or facilities. Considerations include ease of navigation and manoeuvre space, level changes, finishes, lighting and acoustics.

4.6.2 Goal

People with disabilities should be able to circulate within a building in a manner consistent with the general public where the architectural, archaeological and natural heritage integrity of the site allows.

4.6.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- The provision of access routes that are as direct as possible;
- The guarding and visual highlighting of potential obstructions or hazards;
- Making efforts to link all methods of vertical circulation in a building with horizontal access routes and key facilities;

- Minimising travel distances, where practicable;
- The provision of good visual contrast between backgrounds and any fixtures or fittings attached to them or placed in front of them, where the heritage of the site allows;
- The provision of wheelchairs on site, with a deposit refundable on leaving the site, for mobility impaired people to borrow or secure for the duration of their visit;
- The planning and management of the flow of visitors through the site in such a way that it does not act as an obstacle to accessibility;
- The installation of accessible passenger lifts or accessible platform lifts, while also taking the provision of safe emergency egress for all users into consideration.

4.7 Interpretive information available on site

4.7.1 Rationale

Clear interpretive information is vital to help visitors understand more about a heritage site. Where interpretative information is provided on site, it should be accessible, so that people with disabilities have the opportunity to learn about, experience and understand the unique architectural, archaeological or natural heritage character and significance of a heritage site. This also applies where the role and functions of a public body need to be set out.

Interpretive information may include panels, audio and multi-media information, tactile items and surfaces. It might also include a virtual representation or tour as an alternative to achieving physical access. This might be presented on site where there is limited access in some areas or remotely where the physical layout of the site presents extreme barriers to access.

4.7.2 Goal

Interpretive information, where provided, should be accessible.

4.7.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- The provision of a virtual representation or tour of the heritage site where access is restricted or impossible to achieve;
- The provision of accessible, portable audio guides;
- The provision of multi-faceted interpretation resources with opportunities for multi-sensory interaction;
- The provision of tactile information supported by audio information;
- The provision of portable written information with clear typeface of at least 14 point size;
- The provision of portable written information, including room guides, for visitors with physical impairments including wheelchair users;
- The provision of accessible audio-visual presentations;
- The installation of interpretive panels at appropriate angles and heights with the correct script and the necessary contrast between text and background;
- The provision of scale models with sensory features such as tactile surfaces and Braille;
- The installation of induction loops for people who use a hearing aid.

4.8 Programmes, meetings and events

4.8.1 Rationale

Accessible educational programmes, tours and events can enhance the visitor experience and appreciation of our heritage. Alternative formats for such programmes may include virtual, or touch tours or presentations through Irish Sign Language.

4.8.2 Goal

Programmes, meetings and events should be accessible, where practicable.

4.8.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- Consulting with people with disabilities to ascertain any special requirements when planning programmes, meetings and events;
- Holding classes, meetings, educational talks, exhibitions, and performances in an accessible part of the site;
- The use of accessible presentation methods when putting on programmes, meetings and events;
- The development of an accessible outreach programme to be held at accessible venues off-site where a heritage site cannot be made accessible, e.g. video streaming;
- Highlighting accessible features when publicising programmes, meetings and events;
- The provision of a facility to book Irish Sign Language interpreters in advance for programmes, meetings and events.

4.9 Facilities

4.9.1 Rationale

Facilities such as toilets, cafes and education centres form a central part of the visitor experience. By their nature visitor facilities will either be newly-built or adaptations of existing structures. However, at some sites, existing facilities may be provided within the building or monument and it may not be practicable to make them accessible. Facilities are integral to the day to day management of a site. It is important that site managers have accessibility in mind when planning for visitors throughout the site and have the relevant consent from the appropriate authorities before undertaking any work.

4.9.2 Goal

Where public facilities are provided, accessible public facilities should be provided, where practicable.

4.9.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- The provision of facilities of adequate width, with level layouts, with good colour contrasts between fixtures and fittings and their backgrounds and the provision of enough space for wheelchairs and other mobility aids;
- The provision of accessible toilet facilities with appropriate fittings and fixtures located at either the beginning or end of the journey around the site to minimise interruption to the flow of visitors;
- The designation of accessible unisex toilet facilities to allow for the presence of a carer/personal assistant of a different gender;
- The use of flexible rather than fixed seating in cafés and with enough space to allow for ease of movement;
- The provision of large print menus in cafes and restaurants;
- Ensuring the availability of staff to assist with carrying trays, when requested to do so;
- The provision of trays that are easily gripped and slip resistant;
- The provision of accessible service counters and payment points;
- The provision of picnic areas with wide, level routes with furniture set at various heights;
- The provision of accessible aisles, shelves and payment points in gift shops.

4.10 Emergency egress

4.10.1 Rationale

Public bodies have an obligation to ensure that all users of their heritage sites can escape safely in an emergency. The responsibility for evacuating people with disabilities lies with those who manage the heritage site on a day-to-day basis. The specification for emergency egress involves an evacuation plan with provision for people with disabilities taking into account the different needs of different disabilities.

4.10.2 Goal

Heritage sites should have a plan in place to ensure that all site users can safely evacuate the location at all times, as required by relevant legislation. The plan should be backed up by trained staff, to cater for the safe egress of people with disabilities from the site and to assist them in the event of an emergency departure.

4.10.3 Public bodies may find some of the following examples useful in considering what they might do, bearing in mind that not all of these examples will be possible at all sites:

- Ensuring, where practicable, that new lifts are designed for use in emergency evacuations;
- The installation of directional sound systems as they can be tailored to identify particular building features such as stairs or emergency exits and indicate the vertical direction to be taken on stairways;
- The installation of discreet and sensitive smoke detection systems, known as aspirating detectors, as they can dramatically reduce the time to detection, allowing additional time for escape.

Appendix 1: Sections 5, 29, 30, 38, 39 and 40 of the Disability Act 2005

Section 5. Provision of resources and extent of provision

5.- (1) In this section-

“Minister” means a Minister of the Government;

“relevant public body”, in relation to a Minister, means a public body which provides services under this Act in relation to which that Minister allocates moneys;

“service plan”, in relation to a specified body, means a service plan or other similar document approved by the Minister to whom that body is required by an enactment to submit such a plan or document;

“specified body” means the Executive or any other public body which is not the subject of an allocation by a Minister under *subsection (2)*.

(2) Where, in the financial year 2005 or any subsequent such year, a Minister or a relevant public body in relation to that Minister provides or arranges for the provision of services under this Act, that Minister shall, subject to *subsections (4) and (5)*, allocate out of the moneys available to him or her for that year such amount as he or she considers appropriate for the provision of those services.

(3) Where, in the financial year 2005 or any subsequent such year, a specified body provides or arranges for the provision of services under this Act, that body shall, subject to *subsections (4) and (5)*, allocate out of the moneys available to it for that year such amount as it considers appropriate for the provision of those services.

(4) In determining the appropriate allocation under *subsection (2) or (3)* in a financial year, the Minister or specified body concerned shall ensure that the amount remaining after the allocation is not less than the amount that is appropriate, having regard, *inter alia*, to-

- (a) the extent of the Minister's or the specified body's other obligations in that year, and
- (b) in the case of a specified body, its service plan for that year,

for the performance of the functions conferred on the Minister or the specified body other than by this Act.

(5) If satisfied that the amount of the moneys allocated under *subsection (2) or (3)* in a financial year is the maximum amount permitted by this section to be so allocated-

- (a) the Minister or specified body concerned, as the case may be, shall not be required to allocate, and nothing in this Act shall be construed as requiring the allocation of, additional moneys under *subsection (2) or (3)* for that year, and
- (b) the Minister or a relevant public body in relation to the Minister or a specified body, as the case may be, shall not be required to provide, and nothing in this Act shall be construed as requiring the provision by or on behalf of the Minister, the relevant public body or the specified body of, services under this Act in that year the cost of the provision of which could not be met out of the moneys allocated under *subsection (2) or (3)*.

Section 29. Access to heritage sites

29.—(1) (a) The head of a public body shall, as far as practicable, ensure that the whole or a part of a heritage site in its ownership, management or control to which the public has access is accessible to persons with disabilities and can be visited by them with ease and dignity.

(b) *Paragraph (a)* shall not apply if its application would—

(i) have a significant adverse effect on the conservation status of a species or habitat or the integrity of a heritage site, or

(ii) compromise the characteristics of the site.

(2) Nothing in this section shall be construed as authorising or requiring the adaptation or modification of any heritage site contrary to law.

(3) In this section “heritage site” includes—

(a) a monument within the meaning of the National Monuments Acts 1930 to 2004,

(b) a heritage building or a heritage garden or park within the meaning of the Heritage Act 1995,

(c) a protected structure or a proposed protected structure, with any attendant grounds, or an architectural conservation area, within the meaning in each case of the Planning and Development Act 2000,

(d) a nature reserve which is the subject of an establishment order within the meaning of the Wildlife Acts 1976 and 2000, and

(e) a national park owned by the State and under the management and control of the Minister for the Arts, Heritage and Local Government.

(4) This section shall come into operation on 31 December 2007.

Section 30. Codes of practice

30.—(1) The Minister may request the National Disability Authority (“the Authority”) to prepare and submit to him or her draft codes of practice for public bodies relating to the matters referred to in *sections 26 to 29*.

(2) In preparing a draft code of practice under *subsection (1)*, the Authority shall consult with such other Ministers of the Government or other persons or bodies as the Authority considers appropriate or as the Minister may direct.

(3) The Minister may approve, refuse to approve or, after consultation with the Authority, amend a draft code of practice.

(4) If the Minister approves, or after the consultation aforesaid, amends a draft code of practice, he or she may by order declare that the draft or, as the case may be, the draft code of practice as amended as aforesaid is an approved code of practice for the purposes of this Act (“an approved code of practice”).

(5) The Minister may, after consultation with the Authority, by order revoke or amend an approved code of practice.

(6) Compliance by a public body with an approved code of practice shall be deemed to be compliance with the relevant provision of this Act.

Section 38. Complaints

38 – A person may by himself or through a person referred to in *section 9(2)* make a complaint in writing to the head of a public body in relation to the failure of the body to comply with *section 25, 26, 27, 28, or 29* of this Act.

Section 39. Inquiry officers

39. – (1) The head of a public body may authorise such and so many officers of the body as he or she considers appropriate (referred to in this Act as “inquiry officers”) to perform the functions conferred on inquiry officers by this section.

(2) The head of a public body shall draw up procedures in relation to the making and investigation of complaints and such other matters relating to complaints as he or she considers appropriate and shall cause the procedures to be published.

(3) An inquiry officer shall be independent in the performance of his or her functions.

(4) Following the receipt of a complaint by the head of

a public body under *section 38*, he or she shall refer the matter to an inquiry officer.

(5) When a complaint is referred to an inquiry officer under *subsection (4)*, he or she shall (unless he or she is of opinion that it is frivolous or vexatious in which case he or she shall notify the public body and the complainant to that effect) investigate the complaint and prepare a report in writing of the results of his or her investigation and furnish a copy of it to the head of the public body concerned and to the person who made the complaint.

(6) A report under *subsection (5)* shall set out the findings of the inquiry officer concerned together with a determination in relation to the following matters, namely –

- (a) in case the determination is that the complaint is not frivolous or vexatious, whether there has been a failure by the public body the subject of the complaint to comply with a provision referred to in *section 38*, and
- (b) in case the determination is that there has been such a failure, the steps required to be taken by the public body concerned to comply with the provision concerned.

(7) An investigation by an inquiry officer under this Act shall be conducted otherwise than in public.

(8) In this section “complaint” means a complaint under *section 38*.

Section 40. Application of Ombudsman Act 1980

40. – Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State:

- (a) in section 1, in subsection (1), the following shall be inserted after the definitions of “functions”:

“ ‘head’, in relation to a public body, and ‘public body’, have the meanings assigned to them by the *Disability Act 2005*;”;

- (b) in section 4, in subsection (2), the words from and including “(being an action taken in the performance of administrative functions)” to the end of the subsection and subsection (4) shall be deleted;
- (c) in section 5, in subsection (1)(a), subparagraph (iii) shall be deleted;
- (d) in section 6, the following subsection shall be substituted for subsection (3):

“(3) Where, following an investigation under this Act into an action, it appears to the Ombudsman that, by reason of a failure to comply with a provision of *Part 3* of the *Disability Act 2005* or of a sectoral plan under that Part, the action adversely affected a person by or on whose behalf a complaint was made under *section 38*, or in accordance with the procedure for complaints provided for pursuant to *section (31)(4)(b)*, of that Act or any other person and the Ombudsman considers that in all the circumstances he or she should do so, he or she may recommend to the head of the public body concerned or to any other person concerned –

- (a) that the matter in relation to which the action was taken be further considered,
- (b) that measures or specified measures be taken to remedy, mitigate or alter the adverse effect of the action, or
- (c) that the reasons for taking the action be given to the Ombudsman,

and, if the Ombudsman thinks fit to do so, he or she may request the head of the public body or that other person to notify him or her within a specified time of his or her response to the recommendation.”;

and

- (e) in section 7, the following subsection shall be inserted after subsection (1):

“(1A)(a) An officer of the Ombudsman authorised in writing in that behalf by the Ombudsman may, for the purposes of a preliminary examination or an investigation under section 4 in relation to a public body or any other person concerned carried out by virtue of *section 40* of the *Disability Act 2005* –

- (i) at all reasonable times enter any premises occupied by the body or other person aforesaid,
 - (ii) search the premises and any books, documents or other records found there by him or her,
 - (iii) require any person on the premises who is employed by the body or other person to give to him or her such information within his or her knowledge or procurement (including, in the case of such information in a non-legible form, a reproduction of it in a legible form), or such records as aforesaid in his or her possession or within his or her procurement, as he or she may reasonably require for the purposes aforesaid,
 - (iv) examine and take copies of, or of extracts from, any such records as aforesaid and remove and retain any such records for such period as may be reasonable for further examination,
 - (v) require any such person as aforesaid who has in his or her possession any such records to retain them for such reasonable period as he or she may direct, and
 - (vi) take on to the premises and use there a camera or other recording apparatus or any other equipment, for the purpose of facilitating the proof of any non-compliance with Part 3 of the *Disability Act 2005* found or suspected by the officer on the premises
- (b) In paragraph (a), a 'premises' includes a structure or place and a vehicle, ship or other vessel and the reference to occupied in that paragraph shall be construed, in relation to a vehicle, ship or other vessel, as a reference to owned, used or operated.
- (c) A person who –
- (i) obstructs or impedes an officer of the Ombudsman while he or she is performing a function under this section,
 - (ii) fails or refuses to comply with a requirement under this section,
 - (iii) alters, disposes of or destroys any books, documents or other records which the person has been required under this section to give to such an

officer or may reasonably expect to be required so to do, or

(iv) gives to such an officer information which is false or misleading in a material respect, is guilty of an offence and is liable on summary conviction to a fine not exceeding €3,000.

(d) When performing any of his or her functions under this subsection, an officer of the Ombudsman shall, if so requested by any person affected, produce to the person his or her authorisation under paragraph (a) or a copy of it”.

Appendix 2: Public bodies with statutory responsibility for the protection of heritage sites

- I. With statutory responsibility for heritage sites that are monuments within the meaning of the National Monuments Acts:

- **National Monument Service**

Department of the Arts, Heritage and the Gaeltacht,
Custom House, Dublin 1
Tel. (01) 888 2000
www.archaeology.ie

and / or

- **Architectural Heritage Advisory Unit**

Department of the Arts, Heritage and the Gaeltacht,
Custom House, Dublin 1
Tel. (01) 888 2000
www.ahg.gov.ie
<http://www.buildingsofireland.ie/>

2. For heritage sites that are nature reserves or national parks:
 - **National Parks and Wildlife Service**
Department of the Arts, Heritage and the Gaeltacht
7 Ely Place, Dublin 2
Locall 1890 202 021
Tel. (01) 888 2000
Fax. (01) 888 3272
www.ahg.gov.ie
www.npws.ie
3. For heritage sites that are protected structures, proposed protected structures or located within an architectural conservation area:
 - **The relevant planning authority**
4. Under the Planning and Development Regulations, a number of bodies are listed as prescribed bodies for the purposes of the Planning and Development Acts regarding heritage. These include:
 - **The Minister for the Arts Heritage and the Gaeltacht**
Development Applications Unit
Newtown Road
Wexford.
Locall 1890 202 021
Tel. (01) 888 2000
Fax. (01) 888 3272
 - **The Heritage Council**
Áras na hOidhreachta, Church Lane, Kilkenny
Tel. (056) 777 0777
Fax. (056) 777 0788
www.heritagecouncil.ie
 - **An Taisce**
Tailors' Hall, Back Lane, Dublin 8
Tel. (01) 454 1786
www.antaisce.org
 - **The Arts Council**
70 Merrion Square, Dublin 2
Callsave 1850 392 492
Tel. (01) 618 0200
Fax. (01) 676 1302
www.artscouncil.ie

- **Fáilte Ireland**

88-95 Amiens Street, Dublin 1

Locall 1890 525 525

Tel. (01) 884 770

Fax. (01) 855 6821

www.failteireland.ie

5. Public body with responsibility for the management of historic properties in state ownership and of national monument sites on behalf of the Department of the Environment, Heritage and Local Government:

- **Office of Public Works**

Trim, Co. Meath

Locall 1890 213 414

Tel. (046) 942 6000

Fax. (046) 948 1793

www.opw.ie

Appendix 3: Accessible Formats

Please note that this Code is also available in the following formats:

- Plain English;
- Easy-to-Read Summary;
- Large Print;
- Audio Tape, CD or audio file for download;
- Braille;
- Accessible HTML (Irish and English).

Appendix 4: Bibliography

4.1 Planning for Accessibility

- Building for Everyone, National Disability Authority, 2002, www.nda.ie
- Guidelines for Access Auditing of the Built Environment, National Disability Authority, 2006,
- Code of Practice on Accessibility of Public Services and Information provided by Public Bodies, National Disability Authority, 2006, www.nda.ie
- Access Audit Handbook, Centre for Accessible Environments, 2005, www.cae.org.uk
- Museum and Art Galleries: Making Existing Buildings Accessible, Centre for Accessible Environments and Royal Institute of British Architects (RIBA), 2007, www.cae.org.uk
- Guidelines for Universal Design of Exhibitions, Smithsonian Institute, 2000, www.si.edu

4.2 Pre-visit Information

- IT Accessibility Guidelines, National Disability Authority, 2007, www.nda.ie
- Web Content Accessibility Guidelines (WCAG), Web Accessibility Initiative (WAI), www.w3.org/TR/WCAG

- Accessibility [A Process], National Property Board Sweden, 2004, www.sfv.se/cms/english.html

4.3 Approach and entry

- Building for Everyone, National Disability Authority, 2002, www.nda.ie
- Architectural Heritage Protection: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government, 2004, www.environ.ie
- BS 8300: 2009, Design of buildings and their approaches to meet the needs of disabled people. Code of Practice, The British Standards Institution, 2009, shop.bsigroup.com
- Improving Access to Heritage Buildings- A practical guide to meeting the needs of people with disabilities, Australian Council of National Trusts, Australian Heritage Commission, 1999, www.environment.gov.au/heritage/ahc/index.html
- Overcoming the Barriers: Providing Physical Access to Historic Buildings, Welsh Historic Monuments, Cadw, 2002, www.cadw.wales.gov.uk
- Easy Access to Historic Buildings, English Heritage, 2004, www.english-heritage.org.uk

4.4 Wayfinding

- See it Right: Making information accessible for people with sight problems, RNIB, 2006, www.rnib.org.uk
- RNIB Clear print guidelines, RNIB, 2006, www.rnib.org.uk
- Talking Images Guide: Museums, galleries and heritage sites- improving access for blind and partially sighted people, RNIB, 2003, www.rnib.org.uk
- Sign Design Guide: a guide to inclusive signage, The Sign Design Society, 2000, www.signdesignsociety.co.uk

4.5 External landscape

- Making Connections: A guide to accessible green space, The Sensory Trust, R Price and J Stoneham, 2001, www.sensorytrust.org.uk
- A Good Practice Guide to Countryside Access for Disabled People, Extended CD edition, Cupar: Fieldfare Trust, 2005, www.fieldfare.org.uk
- Easy Access to Historic Landscapes, English Heritage, 2005, www.english-heritage.org.uk

4.6 Circulation within buildings

- Building for Everyone, National Disability Authority, 2002, www.nda.ie
- Architectural Heritage Protection: Guidelines for Planning Authorities, Dept of the Environment, Heritage and Local Government, 2004, www.environ.ie
- Specifiers' Handbook for Inclusive Design: Automatic Door Systems, Centre for Accessible Environments and RIBA Enterprises, 2005, www.cae.org.uk
- Specifiers' Handbook for Inclusive Design: Platform Lifts, Centre for Accessible Environments, 2005, www.cae.org.uk
- Specifiers' Handbook for Inclusive Design: Internal floor finishes, Centre for Accessible Environments and RIBA Enterprises, 2006, www.cae.org.uk
- Designing for Accessibility, Centre for Accessible Environments, 2004, www.cae.org.uk

4.7 Interpretive information available on site

- Exhibitions for All: A Practical Guide to Designing Inclusive Exhibitions, National Museums of Scotland, 2006, www.nms.ac.uk
- Another Eyesight: Multisensory Design in Context, Julia Ionides and Peter Howell, The Dog Rose Press, 2005, www.dogrose-press.co.uk
- Talking Images Guide: Museums, galleries and heritage sites -improving access for blind and partially sighted people, RNIB, 2003. www.rnib.org.uk

4.8 Programmes, meetings and events

- Accessible Information for All, Citizens Information Board, 2009, www.citizensinformationboard.ie
- Plain English Guidelines, National Adult Literacy Agency, 2005, www.nala.ie
- Arts Council Goals 2006 – 2010, Partnership for the Arts, Arts Council, 2005, www.artscouncil.ie

4.9 Facilities

- Building for Everyone, National Disability Authority, 2002, www.nda.ie
- NDA Access Handbook, National Disability Authority, 2006, www.nda.ie
- Good Loo Design Guide, Centre for Accessible Environments and RIBA Enterprises, 2004, www.cae.org.uk
- BS 8300: 2009, Design of buildings and their approaches to meet the needs of disabled people. Code of Practice, The British Standards Institution, 2009, shop.bsigroup.com

4.10 Emergency egress

- Safe Evacuation For All, National Disability Authority, 2011, www.nda.ie
- NDA Access Handbook, National Disability Authority, 2006, www.nda.ie
- BS 8300: 2009, Design of buildings and their approaches to meet the needs of disabled people. Code of Practice, The British Standards Institution, 2009, shop.bsigroup.com
- Architectural Heritage Protection: Guidelines for Planning Authorities, Dept of the Environment, Heritage and Local Government, 2004, www.environ.ie
- The Fire Services Act 1981, www.irishstatutebook.ie
- The Safety Health and Welfare at Work Act 2005, www.irishstatutebook.ie
- The Safety Health and Welfare at Work (General Application) Regulations 2007, www.irishstatutebook.ie
- The Building Control Acts 1990 and 2007, www.environ.ie
- The Building Control Regulations 1997 to 2009, www.environ.ie
- The Building Regulations 1997 to 2010 (specifically Part B and Part M), www.environ.ie

Appendix 5: Further Information and Advice

For further information and advice on any aspect of this document please contact:

The National Disability Authority

25 Clyde Road, Ballsbridge, Dublin 4, Ireland.

Tel. (01) 6080400

Fax. (01) 6609935

www.nda.ie

For further information on the Equal Status Acts 2000 to 2004, please contact:

The Equality Authority

Public Information Centre, Birchgrove House,

Roscrea, Co. Tipperary

Locall 1890 245 545

Fax. (0505) 22388

www.equality.ie

For further information on the provision of accessible information, please contact:

Citizens Information Board

Ground Floor, George's Quay House,

43 Townsend St., Dublin 2

Tel. (01) 605 9000

Fax. (01) 605 9099

www.citizensinformation.ie



Údarás Náisiúnta Míchumais
25 Bóthar Chluaidh, Baile Átha Cliath 4
Teileafón (01) 608 0400
Facs (01) 660 9935
www.nda.ie

National Disability Authority
25 Clyde Road, Dublin 4
Telephone (01) 608 0400
Fax (01) 660 9935
www.nda.ie

Is í NDA an t-eagraíocht stáit neamhspleách a chuireann saineolas ar fáil chuig an Aire maidir le polasaí agus cleachtas i leith míchumais, agus a chuireann Dearach Uilíoch chun cinn in Éirinn.

NDA is the independent state body providing expert advice on disability policy and practice to the Minister, and promoting Universal Design in Ireland.