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NDA Submission to Dublin City Council Sports Plan 2023-28

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**Introduction**

The National Disability Authority (NDA) is the independent statutory body, providing evidence-based advice and research to Government on disability policy and practice and promoting Universal Design. We are a public body, not an NGO which is the focus of your consultation, however, we provide advice in a number of areas that we think will be of benefit to the Sports Plan

Ireland ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in 2018. Sport is addressed in Article 30: participation in cultural life, recreation, leisure and sport. The UN notes the important role that sport plays in promoting the social inclusion of persons with disabilities,

“Sport can help reduce the stigma and discrimination associated with disability because it can transform community attitudes about persons with disabilities by highlighting their skills and reducing the tendency to see the disability instead of the person”[[1]](#footnote-1)

Universal Design is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people, regardless of their age, size, ability or disability

It is important that facilities for sport and physical activity are planned, designed and built following a Universal Design approach. It is as equally important that grant funding contains Universal Design criteria to ensure that the facilities are available for use by everyone.

**Universal Design in Buildings and Facilities**

**An Operational Review of the Effectiveness of Section 25 of the Disability Act 2005[[2]](#footnote-2)** was published by the NDA in 2019 providing guidance on how public bodies can comply with Section 25 and as mentioned earlier a Code of Practice on Accessible Public Buildings is currently under development.

Sporting facilities owned and/or operated by local authorities come under Part M while a number would also come under Section 25. While building regulations are not applied to buildings constructed pre-1992, it should not prevent them from adding accessible features to these buildings.

Section 25 of the **Disability Act 2005** requires all departments and local authorities to ensure that the parts of their buildings which are accessed by the public, apart from heritage sites, are brought into compliance with Part M of the Building Regulations, which deals with access and use. The requirement is to upgrade older public buildings so that they comply with Part M, within a ten-year timeframe of any amendment to Part M. Part M 2010 commenced on 1 January 2012 and was subsequently reviewed and replaced again with Part M 2022, which commenced on 1 January 2023. Under Section 25 therefore, local authorities are required to bring their public buildings into compliance with Part M 2010 by 1st January 2022 and Part M 2022 by 1st January 2033. The new requirements under Part M 2022 relate to the provision of changing places toilets.

The NDA advises that each local authority should develop an action plan including access audits, planned improvements works, timeframes for implementation and earmarked funding, to work towards achieving compliance with these legal obligations. This may involve engaging with other authorities as appropriate, including, for example, the OPW. We also advise that compliance with Section 25 should be factored into performance framework agreements with agencies as a governance matter to comply with legal duties. The NDA recommends that Dublin City Council develops a plan to implement Section 25 recommendations in sporting facilities under its ownership and that this commitment is clearly articulated in the new Plan.

When carrying out works on sporting facilities, the guidance provided by our Centre for Excellence in Universal Design, in its publication **Building for Everyone: A Universal Design Approach[[3]](#footnote-3)** should be applied and sporting venues are advised to strive to achieve above the minimum requirements of Part M of the Building Regulations.

When alterations or refurbishment works are being planned to sporting facilities, it is important to be aware of aspects of the existing facility that cause difficulties for the people who use it, including persons with disabilities. An access audit should be carried out prior to alterations or refurbishment works being planned, so that improvements to access to the facility can be integrated from the outset. An access audit should establish how well the facility performs in terms of access and ease of use by a wide range of potential users, including persons with disabilities, and recommend access improvements**.**  Access audits should be carried out in line with NDA guidance.[[4]](#footnote-4)

**Universal Design in Procurement**

An environment (or any building, product, or service in that environment) should be designed to meet the needs of all people who wish to use it.

Central to delivering universally designed sporting facilities is procurement. If accessibility and Universal Design are key requirements at the procurement stage, this will remain a central component of design and delivery throughout.

The NDA would like to remind Dublin City Council of accessibility in procurement requirements under S.I. No. 284/2016 - **European Union (Award of Public Authority Contracts) Regulations 2016[[5]](#footnote-5)** in the case of the public service and in all public works contracts. In addition, **EU Directive 2019/882[[6]](#footnote-6)** on the accessibility requirements for procurement of products and services needs to be considered. Accessibility of services provided to public bodies is also a requirement under Section 27 of the **Disability Act 2005**.

The NDA recommends that Dublin City Council incorporates Universal Design procurement requirements into facilities for sport and physical activity, that are in receipt of Council funding, to ensure these obligations are consistently met. Accessibility requirements for all sporting facilities are particularly important when procuring products and services as their exclusion can create repercussions throughout design and implementation processes and can ultimately lead to inaccessible locations.

**Universal Design in Communications**

It is also important to make sure that the Plan and any written materials that accompany it are produced in formats that makes them accessible to as many people as possible, e.g., blind and vision impaired people who use screen reader technology. The Plan could also be published in a plain English or Easy to Read version. Some information on how best to do this can be found in our **Customer Communications Toolkit for Services to the Public – A Universal Design Approach**[[7]](#footnote-7). This Universal Design approach to communication should also be encouraged across all organisations offering sport and physical activity throughout the Dublin City Council area.

**Data on sport and physical activity**

There are a number of recent data sources outlined below indicating that disabled people are less likely to be involved in sport and physical activity than people without a disability. The social model of disability stresses the point that people are disabled by the environment around them, not by their disability. This highlights the need to remove barriers to participation and to improve disability awareness in the relevant organisations at local level.

## NDA Wellbeing and Social Inclusion Survey

The NDA recently published the results of its **Wellbeing and Social Inclusion Survey** carried out in 2022[[8]](#footnote-8). This survey was designed to gather information about the experience of people living in Ireland regarding how included they feel and how their wellbeing is in general. The survey received over 2,000 responses with 67% of respondents reporting a disability. Respondents self-selected to participate so while the results are not generalisable they do provide interesting insights into people experiences, particularly for disabled people.

In one of the questions respondents were asked to rate the area where they live by considering whether it is safe, has sufficient leisure and sports facilities and places to meet up and is near to family and friends. On balance, most respondents agreed they have enough leisure/sports facilities nearby. However, sizeable minorities did not agree that there are enough leisure and sports facilities in their area (19% disagreed somewhat; 13% disagreed strongly). For all environmental aspects measured, rates of disagreement were higher amongst respondents with a disability. Rates of disagreement were particularly high among those that report a disability to a great extent.

While the sample size doesn’t allow for detailed disaggregation of data it is important that Dublin City Council takes into account that almost one third of respondents didn’t believe there were enough leisure and sports facilities in their area.

In another question respondents were asked about how often they take part in sports or physical exercise. Taking regular physical exercise or taking part in sport is something respondents do on a daily or almost daily (31%) or weekly (33%) basis, far more often than they participate in social activities via a club, society or association (4% daily/almost daily; 22% weekly). When responses were disaggregated by disability status, we can see that respondents with a disability were less likely than non-disabled respondents to take daily physical exercise (26% v 41%). Wheelchair users (11%) and respondents with a physical difficulty (17%) reported particularly low levels of daily physical exercise.

Several respondents with physical disabilities and especially those that are wheelchair users cited the physical infrastructure as a barrier. Pain and fatigue were also reasons why some people found it difficult to exercise daily. A lack of disability awareness among those working or volunteering in sports facilities was seen as another barrier to participation.

While a lack of accessible transport is largely outside the control of clubs/venues it was also highlighted as a barrier to being able consider engaging in sport or physical activity.

## Sport Ireland

Recent research from Sport Ireland[[9]](#footnote-9) on the participation of the population of Ireland in sport has shown that disabled people are less likely to participate in sport or physical activity in both the social and physical sense, 26% compared to 45% of the non-disabled population. Disabled people also showed a greater decrease in participation in sport over the Covid 19 pandemic with a 3% decrease, whereas non-disabled people had a 2% decrease[[10]](#footnote-10).

Sport Ireland’s **Irish Sports Monitor Report[[11]](#footnote-11)** for 2019 contains a dedicated disability chapter. Of the main areas highlighted around increasing participation was the need for training to the voluntary members who are crucial to the running of clubs. Almost three quarters (74%) of all those who volunteer reported that they had not been provided with sufficient support or training in relation to working with persons with disabilities. Even among those whose volunteering involved some engagement with disabled people, 70% reported that they had not received sufficient support or training.

When asked about the types of training that they thought may be beneficial to their role working with disabled people, volunteers identified a variety of different aspects of training. The most commonly identified type of training was in how to adapt sport to persons with disabilities (39%), with roughly a quarter identifying increased understanding of different disabilities and communication and the proper use of inclusive language. Only 2% identified that they did not feel any of these types of training would be useful to their role as a volunteer.

Dublin City Council should include disability awareness/equality training as standard in its induction/training packs for those wishing to work/volunteer in sporting facilities. This training should be developed in consultation with Disabled Persons’ Organisations (see below).

One other way of improving awareness would be to encourage sporting organisations operating in the local authority area to sign up to Active Disability Ireland’s (ADI) **Sport Inclusion Disability Charter[[12]](#footnote-12)**. This is a two-page document that sets out five key areas persons with disabilities are asking all organisations to consider in making active and healthy lifestyles possible for them.

ADI, under its previous designation as CARA, was given a role under Sport Ireland’s **Policy on Participation in Sport by People with Disabilities**[[13]](#footnote-13) to assist with the implementation of Sport Ireland’s policy commitments in relation to participation in sport and physical activity among persons with disabilities.

## AccessAbility

A recent survey, carried out by Ireland Thinks and commissioned by Liberty Insurance for their recent AccessAbility Symposium in Croke Park, received responses from 232 clubs nationwide covering 33 sports. The survey found that:

* Respondents reported inadequate facilities and/or sports equipment (65% of respondents), lack of funding (35%), lack of appropriate training amongst volunteers/staff (33%), with others unsure if there would be sufficient interest to justify investment (19%)
* 94% believe all sports clubs should cater to persons with disabilities, however, less than three in ten clubs have this specified in their club charter or mission statement
* 42% of clubs have players or athletes with disabilities, 37% of clubs have no disabled members
* More than four in five (87%) grassroots Irish sports clubs want to do more to support individuals with disabilities. 73% strongly agree there should be specific funding for disability

**Participation and Engagement**

The UNCRPD also places an obligation on states to ensure that persons with disabilities are included in policy development and decision-making. The NDA encourages Dublin City Council to consult with stakeholders, including Disabled Persons’ Organisations (DPOs) and advises that meaningful engagement and participation should feature throughout the lifetime of the new Plan, so that policy interventions planned and delivered by the Council are disability-proofed from the outset. DPOs are civil society organisations of persons with disabilities as distinct from other disability organisations and charities for persons with a disability. The UNCRPD emphasises that for an organisation to qualify as a DPO, it must be (largely) an organisation of persons with a disability where a majority of persons with disabilities form the management, staff, members, volunteers and user groups.

The NDA has published two documents that may help with this. The first ‘**Participation Matters: Guidelines on implementing the obligation to meaningfully engage with disabled people in public decision making’** aims to support public bodies in achieving meaningful engagement with disabled people, especially through their representative DPOs.[[14]](#footnote-14) The NDA has also produced an ‘**Advice Paper on Disability Language and Terminology**’ which is intended as a practical guide for government departments and public bodies on the use of language about disability.[[15]](#footnote-15)

**Conclusion**

It is important that the new Plan takes into account the needs of disabled people when setting out its goals and actions for the next five years. Disabled people should be consulted with directly during the Plan’s lifetime as their lived experience is the best source of information. The NDA are happy to discuss any of these points in more detail.

1. [Disability and Sports | United Nations Enable](https://www.un.org/development/desa/disabilities/issues/disability-and-sports.html) [↑](#footnote-ref-1)
2. <https://nda.ie/publications/an-operational-review-of-the-effectiveness-of-section-25-of-the-disability-act-2005-nda-report> [↑](#footnote-ref-2)
3. <https://universaldesign.ie/built-environment/building-for-everyone/> [↑](#footnote-ref-3)
4. Building for Everyone, Booklet 8, Building Management, Section 8.4.1, relating to Access Audits and the NDA Guidelines for Access Auditing of the Built Environment. The Guidelines for Access Auditing of the Built Environmentwere published in 2005. While references in the document may be out of date, the general principles and guidance on the process and contents of an access audit should be followed. [↑](#footnote-ref-4)
5. <https://www.irishstatutebook.ie/eli/2016/si/284/made/en/print> [↑](#footnote-ref-5)
6. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0882> [↑](#footnote-ref-6)
7. <https://universaldesign.ie/products-services/customer-communications-toolkit-for-services-to-the-public-a-universal-design-approach/> [↑](#footnote-ref-7)
8. <https://nda.ie/publications/hows-it-going-national-survey> [↑](#footnote-ref-8)
9. [↑](#footnote-ref-9)
10. [20-101875 Irish Sports Monitor Annual Report 2021 (FINAL)\_1.pdf (sportireland.ie)](https://www.sportireland.ie/sites/default/files/media/document/2022-06/20-101875%20Irish%20Sports%20Monitor%20Annual%20Report%202021%20%28FINAL%29_1.pdf) 2022:2 [↑](#footnote-ref-10)
11. https://www.sportireland.ie/sites/default/files/media/document/2020-09/irish-sports-monitor-2019-report-lower-res.pdf [↑](#footnote-ref-11)
12. https://activedisability.ie/sport-inclusion-disability-charter/ [↑](#footnote-ref-12)
13. https://www.sportireland.ie/sites/default/files/2019-12/sport-ireland-policy-on-participation-in-sport-by-people-with-disabilities.pdf [↑](#footnote-ref-13)
14. <https://nda.ie/publications/participation-matters-guidelines-on-implementing-the-obligation-to-meaningfully-engage-with-disabled-people-in-public-decision-making> [↑](#footnote-ref-14)
15. <https://nda.ie/publications/nda-advice-paper-on-disability-language-and-terminology> [↑](#footnote-ref-15)