

Level Playing Field

www.levelplayingfield.org.uk



**LPF ticketing guidance document
and seating management
for
disabled spectators / customers**

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I. Introduction

Level Playing Field (LPF) has many years of experience in dealing with the issue of disabled spectator ticketing at sports and other live events and has provided user-led advice to sporting organisations, venues and clubs.

It is important to note that there is still a significant disparity of access to match day and season tickets for disabled spectators at many sports clubs (when compared to the relative availability and ease of access for non-disabled fans).

LPF's primary starting point is that disabled spectator ticketing policies and local pricing are a matter for the club or venue, as the service provider, but these should always be agreed in consultation with the disabled spectator and customers.

Where facilities and services do not match best practice or even minimum requirements, some clubs and venues have chosen to offer lower price ticketing concessions based on delivering poor access and LPF would strongly advise that a club or venue looks to improve its quantity and quality of accessible services and facilities available to disabled people, rather than continue to rely on compensatory concessions. (Please see following section for more about concessionary pricing and reasonable adjustments.)

There should be parity between the ticketing policies and procedures (including ticket sales, home and away allocations, loyalty systems and hospitality tickets) on offer both to non-disabled spectators and disabled spectators. For example, if match day and season tickets can be purchased by non-disabled spectators online via the club or stadium website, at the ticket box office or by phone, then the same access to these services should be available to disabled spectators.

It is also important that the ticketing department is able to provide accessible facilities and services for its disabled spectators to ensure this parity; and the club may need to make further adjustments to ensure that this is the case. Websites should be accessible and phone lines should include a text-to-speech service (for deaf customers) and so on. Further guidance on these matters can be found in the UEFA and CAFE Good Practice Guide to Creating an Accessible Stadium and Matchday Experience – Access for All which is available on the LPF website.

http://www.levelplayingfield.org.uk/sites/default/files/contentfiles/uefaandcafegoodpracticeguidefinal_eng.pdf

LPF is always pleased to act as mediator in helping to resolve ticketing and other issues that may affect disabled spectators and we are often contacted by our members asking us to intervene when they consider a club's response as unsatisfactory. LPF prides itself in having established positive working relationships with many clubs, ticket office managers, stadium managers and disability (access) liaison officers along with disabled supporters associations and groups themselves. These partnerships can be very helpful for all involved in finding positive resolution in most disputes.

Level Playing Field actively encourages clubs to consult with their own disabled spectators and Disabled Supporters Associations (where they exist) before deciding on the club's own disabled supporters ticketing policies and procedures. It is LPF's view that the policy adopted should always be informed by good practice guidance and in line with equality legislation.

The Football Association and Premier and Football Leagues have issued clear guidance on disabled supporter ticketing management and our own guidance is based on these guidance documents, advice from the Equality and Human Rights Commission, equality legislation and the social model of disability (as adopted by leading disability organisations across the UK).

<http://www.levelplayingfield.org.uk/what-expect-accessible-stadium>

This Level Playing Field guidance document has been written to offer good practice guidance to clubs, venues and fans and to help ensure equality of spectator experiences for all so by ensuring that disabled people can enjoy live sports as a problem free experience.

II. Ticket Pricing

As mentioned earlier, the primary starting point is that pricing is a matter for the Service Provider and should always be in consultation with its own visitors / customers but there are a number of additional areas that should to be considered:

1. Use of Concessions

It is important to recognise the difference between concessionary ticketing and a reasonable adjustment.

There is often genuine confusion as to the meaning of the word "concession" and its interaction with the need for a service provider to make a 'reasonable adjustment' (see below).

LPF's view is that a concession is purely a financial ticketing issue and is something that is offered by a service provider, often as a gesture of goodwill towards a specific group (i.e. **retired, youth, etc.**), **low income (unemployed, incapacity benefits, etc.)**, **student and so on. Alternatively, the concession may be offered** by way of compensation for less adequate seating provisions. For example, a small section of seating area within a stand may offer restricted views due to a pillar or roof truss. Spectators should be informed of this viewing deficit before purchasing a ticket and would expect to pay a lower (or concessionary) ticket price. The club or venue would usually offer a concessionary price. However, the customer would have a choice as to whether to sit in this location or to purchase a seat in another part of the stadium or venue.

For disabled spectators, clubs might offer concessionary prices due to;

- a) restricted numbers of accessible seats or spaces (e.g. accessible seating numbers below minimum standards);
- b) more limited or no choices of seating areas available to disabled customers or because the service provider has made the decision to charge less for other reasons,

- c) lack of accessible services (e.g. the club or venue does not provide audio-descriptive commentary for partially sighted or blind fans);
- d) poor quality accessible seating (e.g. limited views (sightlines), PA / companions not sat alongside, no provision for disabled away fans to sit with their own fans).

The Equality Act does not provide advice on the use of concessions other than making comment that the concessions should not lead to discrimination against disabled people (regardless of their disability). However, it is legally possible to positively discriminate, for example by offering concessions for disabled people that are not otherwise available.

Where a concession is made, it should be made for **all** disabled people and not just for a particular group of disabled people. The only exception might be where a particular group of disabled people (e.g. wheelchair users) have more limited access to the facilities and services, such as an obstructed view of the pitch or less choice or availability that is less than minimum standards. Any concessionary price offered in such circumstances should be seen as a short-term solution only and the existing facilities and services should be improved at the earliest opportunity. It is important to note that service providers, such as sporting clubs and venues, would not be immune from legal action because they offered free or cheaper tickets.

LPF's view is that, in an ideal world concessionary pricing related to accessibility would not be required, as everyone will be treated equally. However, this is clearly not the case at the moment with many sporting venues continuing to offer below standard facilities and services to disabled customers and a limited choice of seating provisions.

Where an existing concession price is to be withdrawn or reduced for disabled spectators, then LPF would urge that it be withdrawn by the club / venue over a period of time and in a measured way (e.g. small incremental increases over several seasons) and always in consultation with the local disabled fans and their representative groups. This principal should also apply to increases to any ticket prices and their related concessions.

LPF's key aim remains that there should be fully inclusive and equal facilities and services at all stadiums for all fans including disabled fans rather than offering only cheaper or free tickets by way of compensation.

Recent European-wide research undertaken by the Centre for Access to Football in Europe and the Sports Institute of Cologne has shown that the majority of disabled fans would prefer fully accessible and inclusive match day facilities and services, that meet demand, rather than the offer of cheap or free tickets by way of compensation.

See : <http://www.cafefootball.eu/en/news/cafe-proof-disability-research-project-final-report-announced>

It is important to note that concessionary ticket prices or free tickets would not protect a service provider from legal action under the Equality Act.

2. If a charge is imposed, who pays?

Where charges are made, the charge should be made to the disabled person (and not their personal assistant (PA) / companion). This is in line with current "disability etiquette" which maintains that disabled people should be treated the same as any non-disabled person or in this case spectator (this is for a variety of reasons including the fact that many PAs attend matches or live events only to support the disabled person they are there to assist and are often paid by the disabled person to attend).

Charging a disabled visitor / customer and their PA / companion more than the full price of one ticket for the disabled visitor / customer (including any concession for which they are eligible) would be unlawful.

3. Provision of a personal assistant (PA) or companion ticket = Reasonable Adjustment

Disabled customers / visitors should have the same choices seating areas throughout the stadium or venue as any other spectator (including within the home and away sections if appropriate (i.e. football matches)).

Many disabled people will already access your service on their own without any support from PAs / companions or service provider staff. However, some disabled people may need extra assistance in order to fully use a service as close as it is reasonably possible to get to the standard that you offer to non-disabled people. Disabled people should be able to access the full range of match-day services.

Many disabled people do not require any special seating but will still require a PA / companion ticket and service providers should not restrict the seating available to them. LPF has seen numerous examples where service providers are reluctant to offer a 'free' PA / companion ticket as a reasonable adjustment. LPF believes that this is a false economy as a PA will be able to offer assistance throughout the day / event which might otherwise require the support of venue staff or volunteers. The disabled person's dignity is paramount and he / she should not be expected to rely on more personal support from a stranger.

There are many circumstances whereby a person needs a PA / companion at an event even if they would not normally require one for their general day to day activities, for example a stadium / any live venue is a very different environment on a match or event day compared to a non-match day. It may be perfectly feasible to go to a ticket office on a quiet non-match day and purchase a ticket on one's own but then require an assistant at the match to cope with the increased numbers of people and crowd flow, or more difficult access issues, or personal toileting issues due to longer periods away from home, or an unfamiliar environment (e.g. at an away ground, national stadium etc.), or to assist with carrying items or refreshments, or to act as an interpreter, or to provide safety and wellbeing protection or way-finding assistance, etc.

If a PA / companion is required then that person should receive the same consideration as that given to PA / companions for other disabled people (such as wheelchair users). This would include the provision of an adjacent seat in order that assistance can be given easily throughout the match / event. If a disabled visitor / customer decides **not** to bring a PA / companion, then the service provider cannot refuse to admit them or provide them with any service, unless there are exceptional reasons for doing so. The service provider would have to make reasonable adjustments themselves and provide the necessary support.

It is sometimes proposed by disabled people that children act as a PA / companion. Providing that the child is indeed providing assistance to the disabled person to allow them to attend, the service provider should permit the child to act as a PA / companion. Accordingly, service providers should not seek to impose a minimum age for PAs / companions. It is worth note, that many primary carers (for disabled people) within the UK are children (e.g. caring for disabled parents or siblings).

Equally, other disabled people may act as PAs / companions.

Disabled children

Where the disabled person is a young child, and their PA / companion is their parent, it is unlikely to be necessary for service providers to allow the adult to attend for free as part of the reasonable adjustments duty, if they require all children (including those who are not disabled) to be accompanied by an adult. For example, if the service provider's policy requires all children under 12 to be accompanied by an adult, then charging both a disabled child and their parent would not be treating them less favourably than non-disabled children.

More than one PA / companion

More and more disabled people want to attend sporting events and this includes those with multiple or more substantial disabilities. If the disabled spectator needs two PAs / companions (or carers) to access the stadium / service (e.g. cannot be left alone (i.e. 1 assistant goes to get refreshments whilst the other stays); extra assistance required with toileting (2 people are needed to operate a hoist, etc.); using oxygen or a portable ventilator, etc.) then the club or venue should provide a second complimentary PA ticket (as a reasonable adjustment) upon request. This does not mean that **all** disabled people will require PA / companion two tickets. Where a disabled person would be able to access the services without additional support (a second PA), then the service provider would be entitled to charge for any additional spectators wishing to attend with the disabled fan in the same way as the club would for any other visitor / customer.

It is not just wheelchair users who require a PA. Many people have hidden disabilities or have progressive conditions and may require personal support for a variety of reasons as described above.

Some disabled people who use an Assistance (or Guide) Dog may also require a personal assistant or companion.

Legal advice

The Equality and Human Rights Commission (EHRC) have stated that where a visitor / customer would find it unreasonably difficult or impossible to access the services offered, the service provider should allow the visitor / customer to bring an assistant (PA / companion) free of charge (as a "reasonable adjustment" / auxiliary service under the Equality Act).

<http://www.equalityhumanrights.com/your-rights/service-users/goods-facilities-and-services/theatres-and-other-entertainment-venues>

"Reasonable adjustments are not just about changes to physical features or the addition of auxiliary aids such as a hearing loop, although these can be important to some disabled people. Entertainment businesses should consider providing information (such as programmes and publicity material) in alternative formats and offering an additional ticket for free to a disabled person who needs to bring an assistant". In considering whether services are 'unreasonably difficult' for a disabled person to use, the EHRC's Code of Practice advises that 'service providers should take account of whether the **time, inconvenience, effort,**

discomfort, anxiety or loss of dignity entailed in using the service (should the person be expected to rely on venue staff or volunteers for assistance) would be considered unreasonable by other people if they had to endure similar difficulties.

The reasonableness of a step may also depend in part on the level of difficulty. A practice that makes it almost impossible for a disabled person to access the service may require more to be done than a practice which causes much less (albeit still unreasonable) inconvenience to other customers.

Many different disabled customers / visitors may require personal assistance including those with “hidden” disabilities. It is very likely to be considered unlawful discrimination for a service provider to limit the number of disabled customers / visitors able to bring a PA / companion to a match or event.

III. Proof of Disability

Every individual experiences his / her ‘disability’ and the accessible environment very differently. It is crucial not to make generalisations. Some people will experience little effect on their day to day activities or will have “coping strategies” to find ways around existing barriers and the effects of their ‘disability’. Others, whilst seeming to be similarly disabled, will find an environment more challenging. It is therefore essential to consider each situation on a case by case basis and to recognise and react to the individuals own personal access requirements in attending your venue.

Where there is an **element of reasonable doubt** as to whether an individual needs a PA (assistance), the service provider is entitled to ask for evidence or ‘proof of disability’. LPF would advise that should ‘proof of disability’ be sought, it should be done so in advance of the event or at the point of ticket sale (if in advance). It is offensive and undignified to ask a visitor / customer for ‘proof of disability’ at the point of entrance to a venue or event and LPF considers that such a practice would be discriminatory.

Level Playing Field appreciates this could cause some difficulties for the service provider and thus accepts that some larger clubs and venues may need to operate a voluntary ‘Personal Assistant (PA) application’ process whereby those who require this service can either provide ‘proof of disability’ from the list below or may explain why they need a specific reasonable adjustment such as a PA / companion in their own words (see appendix 2 on page 15). This will help identify the individual’s underlying needs and reasons as to why PA / companion assistance is required. The service provider would need to seek permission from the disabled person to hold such personal information and data on file but doing so would ensure that this exercise could be carried out less frequently and it should not be necessary to undertake such a process more than once per season. Some disabled people consider the seeking of ‘proof of disability’ to be offensive and the service provider should behave sensitively and always respect a disabled person’s dignity and privacy. In addition it is important to note that some disabled people choose not to claim disability benefits that they may be entitled to.

Any of the following should be regarded as acceptable ‘proofs of disability’:

1. Receipt of the mid-rate care element or the high rate mobility component of the Disability Living Allowance (DLA) or War Pensioners’ Mobility Supplement (*please note that DLA is being replaced by Personal Independence Payments (PIP’s) and it is unclear how these changes will impact on the level of proof which should reasonably be accepted*)

2. Receipt of either the Severe Disablement Allowance or Attendance Allowance.
3. War Pensioners' Mobility Allowance or War or Service Disablement Pension for 80% or more disability.
4. Blind or partially sighted registration certificate (BD8 or CVI Certificate) or evidence from an eye specialist, for example an optometrist, that the individual would qualify to be registered as severely sight impaired (blind) or sight impaired (partially sighted). Further advice can be found on the Royal National Institute of Blind People (RNIB) website.
5. A personal letter from the GP, community nurse or social worker that the individual has a long term impairment or 'disability' and requires assistance.
6. Confirmation in writing from Social Services that the individual is included on their Deaf Register, or a letter or report from an aural specialist confirming that hearing loss has been recorded at 70 – 95 dBHL or worse.
7. Confirmation in writing from Social Services that the individual has a learning difficulty or disability. This may include Proof of Registration with Social Services, or if not on the Local Authority Register, a letter from a doctor or support worker confirming that the individual has a difficulty in learning new skills, or may be unable to cope independently. For children – a letter from the head teacher at a special school confirming eligibility will be acceptable.

NB: This list is not an exhaustive list and consideration should always be given to any other evidence that can be provided. In all cases, common sense should prevail and the dignity and privacy of the disabled person should be paramount. LPF would advise that when unsure, service providers err on the side of caution and provide a reasonable adjustment, as a legal challenge could be levied if this was unfairly denied.

IV. Seating Management

1. Seating and accessibility for disabled visitors / customers who do not require accessible seating

Service providers should not restrict the numbers of tickets available for disabled visitors / customers at matches. The only exception to this is where someone's disability means that they cannot access certain areas of a ground and there are (for example) a limited number of easy access or wheelchair user accessible spaces available (guidance on the minimum number of wheelchair user spaces you should provide can be found in the UEFA and CAFE Good Practice Guidance to Creating an Accessible Stadium and Matchday Experience - Access for All and the UK Accessible Stadia 2003. It should be noted that these are minimum numbers only and depending on demand, it may be reasonable to expect a service provider to provide further accessible seating.

http://www.levelplayingfield.org.uk/sites/default/files/contentfiles/uefaandcafegoodpracticeguidfinal_eng.pdf

In the case of disabled visitors / customers, service providers need to make sure that they are not limiting the number of disabled visitors / customers at events. Service providers should sell

any available match tickets to disabled visitors who seek to buy them (whether in advance or on the day of an event).

Refusing to sell a disabled visitor a ticket (either with or without a complimentary PA / companion ticket when required) simply because they are disabled would be likely to be classed as direct discrimination ('on the grounds of their disability') and would therefore be unlawful.

2. Easy access and Amenity seating

Some disabled visitors / customers may need to sit on the end of a row or in seating with either no or minimal stepped access and / or handrails (**easy access** seating). The ticketing manager should identify where these seats are across their stadium or sporting venue and reserve such seats for disabled persons, senior fans, young children and other fans with limited mobility, all of who may require easier access.

Clubs should also provide a choice of **amenity** seating (in both home and away areas). Amenity seating is required by some disabled spectators such as those who may require extra leg-room, wider seats, arm rests, space for storing walking aids, or accommodation for Assistance (or Guide) Dogs, or close to accessible toilets, etc. Clubs should ensure that some amenity seating is also available within the family areas.

Sightlines (adequate views) within amenity and easy access seating areas should follow existing standards in providing an unobstructed view of the pitch at all times even if fans in front or to the side stand in the pre-match warm-up, match ceremonies and during the match or event. These seats should offer shelter from the weather and the ball.

Easy access and amenity seats should be easily identified at the start of each season by the ticketing and operational teams. Ticketing software should be designed to accommodate this requirement.

3. Providing home and away facilities and services for disabled fans

Service providers should not isolate or segregate of disabled customers / visitors without reasonable justification.

Restrictions in where a disabled customer / visitor may sit (e.g. within the home or away section as a football fan) or failing to offer choice of locations throughout the stadium or venue by a club or venue may be considered as unlawful discrimination and will depend on why the service provider has made this decision or policy.

- If the reason is simply that the person is a disabled person, then that is likely to be direct discrimination and unlawful.
- If the reason is because of something arising in consequence of the person being a disabled person, then it would need to be justified. It is possible that there could be legitimate reasons for limiting some disabled customers / visitors to particular areas of the stadium. For example, wheelchair users would need to be accommodated in areas that are accessible to them. However, they should still be offered a choice of seating areas throughout the stadium or venue (in the same way as non-disabled fans) and should be able to sit with their own

supporters (home and away) where this is usual practice (such as a football match) and should always be able to sit with family and friends.

- Much like any non-disabled spectator, disabled spectators may also be parents and families and groups of friends may also include more than one disabled person. To accommodate this requirement, some clubs and venues have adopted low cost flexible seating solutions. Please contact LPF for good practice examples.

If you have an enquiry or wish to provide LPF with feedback on this matter please send an email to info@levelplayingfield.org.uk headed 'disabled supporter ticketing' or call 0208 621 2403

V. APPENDIX 1 - REFERENCE DOCUMENTS

Good practice guidance and European minimum standards

- UEFA and CAFE Good Practice Guide to Creating an Accessible Stadium and Matchday Experience - Access for All
http://www.levelplayingfield.org.uk/sites/default/files/contentfiles/uefaandcafegoodpracticeguidefinal_eng.pdf
- CEN/TR 15913:2009 "Spectator facilities. Layout criteria for viewing area for spectators with special needs"
<http://www.levelplayingfield.org.uk/what-expect-accessible-stadium>
- Accessible Stadia 2003, UK
http://www.levelplayingfield.org.uk/sites/default/files/contentfiles/accessible_stadia.pdf
- CAFE "Proof of Disability Research Project" final report :
<http://www.cafefootball.eu/en/news/cape-proof-disability-research-project-final-report-announced>

Football Association, Premier and Football Leagues guidance and ticketing policies:

Football Association Guidance

- [The FA DDA Guide](#) - Guidance for Professional Clubs (published in September 2003)
- [The FA DDA Guide](#) - Guidance for Non-League Clubs (published in October 2004)

Premier League Guidance

- [D1 - Summary \(2009\)](#)
- [D2 - Who is disabled? \(2009\)](#)
- [D3 - DDA Duties \(2009\)](#)
- [D4 - Ticketing Issues \(2009\)](#)
- [D5 - Match Day Access \(2009\)](#)
- [Guidance re Ambulant Disabled Fans and Personal Assistants \(2012\)](#)

Football League Guidance

- [Guidance on Disabled Supporters and Customers \(2010\)](#)
- [Guide to Facilities for Disabled Fans at Football League Championship Grounds season 2014/15](#)
- [Guide to Facilities for Disabled Fans at Football League One Grounds season 2014/15](#)
- [Guide to Facilities for Disabled Fans at Football League Two Grounds season 2014/15](#)

The above documents can all be downloaded via the Level Playing Field website at <http://www.levelplayingfield.org.uk/what-expect-accessible-stadium>

VI. APPENDIX 2 - EXAMPLE OF A 'PROOF OF DISABILITY' REGISTRATION FORM

Mr./Mrs./Ms./Miss

Surname

First name(s)

Address

Post code

Day time Telephone no.

Mobile Telephone no

Email

Please explain why you need to bring a personal assistant / companion / carer with you. We do not need a detailed history of your medical condition but please give as much information as possible about how your 'disability' affects you in enjoying or attending the stadium or accessing the services / facilities provided.

I agree that the information given is correct, and if there is any change in my circumstances / details I will inform the club. NB: The club reserves the right to seek additional 'proof of disability' where there is an element of reasonable doubt as to the need for a personal assistant / companion / carer.

Signature

Date.....

This form should be returned to *(insert name/ address of club contact)*.

Please be assured that your details will be reviewed in strictest confidence and will not be shared with third parties.

VII. NOTE:

Level Playing Field (LPF) does not act in any legal capacity and makes no representation and gives no warranty as to the accurateness or suitability of any advice contained within this policy or its appendices. The views expressed in this policy are user-led and intended to provide a better understanding of the key issues in relation to this policy. LPF advises that each football club, event owner or venue should commission an LPF professional access audit of its stadium and match and non-match day facilities and services. An access audit should be undertaken by an experienced NRAC registered Access Auditor who is experienced in assessing sports stadia. Please contact LPF for further advice and for details of the LPF Access Audit programme.

The LPF Board and staff would like to thank those individuals and organisations who gave freely of their time and expertise in the preparation of this guidance.

Accessible versions of this document are available on request by calling 020 8621 2403 or by email at info@levelplayingfield.org.uk

*** Please note that Level Playing Field (LPF) is the trading name of the National Association of Disabled Supporters.**