

TICKETING ISSUES

TICKETING POLICY

Any ticketing policy developed by clubs should, first, have regard to the Premier League's general rules on ticketing, set out in Section J of the Premier League Rulebook. Although there is no legal requirement under the DDA to have a written policy on ticketing, this is likely to be an important element in defending any claim of discrimination and the Premier League Rules therefore do require all clubs to prepare and make available a written policy.

A club's policy in relation to ticketing arrangements for disabled supporters should seek to provide the same level of service as they provide to non-disabled supporters. Clubs will accordingly need to make reasonable adjustments to ensure, where reasonably possible, that this happens.

The disabled persons ticketing policy should be clearly set out as part of the club's written customer charter under Rule 1 of Section J. Clubs should seek to ensure that the disabled persons ticketing policy complies with the general requirements of Rule 4 of Section J, so that the policy should:

- Provide general information about availability and pricing, giving details of changes at the earliest possible opportunity.
- Aim to promote greater accessibility.
- Allow for a broad range of ticket prices, including reduced prices for seats with restricted view and concessionary prices.
- Include details of any membership or loyalty scheme (whether limited to disabled supporters or not). It should be noted that any such scheme for disabled supporters should be voluntary, unless all non-disabled supporters are also required to join a scheme.

The policy must also comply with Rule 7 of Section J, in relation to the provision of a percentage of the disabled spaces to disabled away fans. Currently, the rule requires that 10% of the disabled spaces in the stadium must be allocated to away disabled fans.

TICKET ELIGIBILITY

For most clubs, there will be times when the demand for seats is greater than the supply. Determining eligibility for accessible disabled seating such as wheelchair spaces (or other seating for disabled fans) should so far as possible be on the same basis as for non-disabled fans. However, whatever arrangements are made clubs should ensure that these are clearly set out in advance.

For example, if a disabled person is seeking a season ticket, they should be subject to the same rules as a non-disabled applicant. If a club sets aside a number of wheelchair spaces for season ticket holders, then it should allocate these on the same basis as it allocates other season ticket seats.

Where a non-disabled season ticket holder claims that they have become disabled and wish to change from a non-disabled seat to, say, a wheelchair space, it would be reasonable for a club to seek to accommodate that request. If all of the wheelchair spaces are already allocated, it may not be reasonably possible to permit this and the disabled person could be placed on the waiting list instead.

One issue that has been raised by a number of clubs is that of how eligibility for concessionary disabled seating should be determined. There a number of potentially lawful arrangements that could be adopted. However, given clubs' duties under the DDA, the Premier League would recommend that eligibility for concessions for disabled people should be determined by the club themselves.

TICKETING ISSUES (continued)

Accordingly, the Premier League recommends that clubs do not delegate responsibility for ticket allocation for disabled people to, say, a supporters group. However, if a club does permit any other body to allocate concessionary tickets, it should ensure that both the club and the other body take out appropriate liability insurance, as in those circumstances the club may still be liable, along with the other body, under the DDA.

As set out above, clubs are entitled to seek evidence from people claiming to be disabled, where that might be in doubt. However, they should not do so save where necessary and a club's policy in this regard should clearly explain the circumstances in which this could arise. In particular, clubs should not seek evidence of disability unless a person is applying for a concession for their PA or for designated disabled seating such as a wheelchair space, or are seeking other assistance from the club as a result of their disability.

Where a person does not disclose their disability (or does not let the club know, for example, that they will not be bringing their own personal assistant), it may be reasonable for a club to refuse to admit them if it would not be possible to make any necessary adjustments (such as arranging for someone to support them) at short notice. Clubs should encourage disabled persons who will require support and assistance to make this clear to them as soon as possible.

TICKET ADMINISTRATION AND PURCHASING

This is a key area in which the duty to make reasonable adjustments is likely to have a day-to-day affect on clubs. There are now a number of different ways that non-disabled fans can purchase tickets and clubs will normally need to make reasonable adjustments to ensure that disabled supporters can use the same routes to purchase tickets.

Wherever supporters can buy tickets in person, clubs should endeavour to make those locations accessible to disabled supporters. Reasonable adjustments might include ramps or other assistance for external access, an induction loop for those with hearing impairments, and lowered counters for wheelchair users.

Equally, where supporters can use other arrangements for purchasing tickets, clubs should seek to ensure that they are accessible as well. Where non-disabled fans can purchase tickets over the phone or on the internet, it is likely to be reasonable to provide textphone services and accessible internet pages to allow disabled supporters to do so as well. Where paper applications (such as forms applying for season tickets) are required, clubs should ensure that there are suitable alternatives available for disabled supporters who cannot use this method.

Clubs should seek to ensure that disabled people can buy tickets on match days in the same way that non-disabled people can (and subject, of course, to availability). It is unlikely to be lawful for clubs to refuse to make such arrangements, given that there are likely to be reasonable adjustments that can facilitate such sales.

Staff training has always been an important aspect of meeting the duty to make adjustments. It remains important that all staff and managers who are likely to deal with customers should receive Disability Equality training, including clear training on the club's policies and the adjustments that have been made. This is to ensure that not only are adjustments made, but that disabled people can easily access them.

In that regard, some clubs have a named contact to deal with disabled peoples ticketing issues. This may well be a reasonable adjustment for them to make. However, clubs should not rely on that person alone as a source of information for disabled supporters, as that would mean that they would be given fewer options when buying tickets than non-disabled supporters.

As detailed above, the Premier League recommends that clubs should determine eligibility for, and distribute, concessionary disabled tickets (such as for wheelchair spaces) themselves. If clubs use external agencies for ticket sales, it is unlikely that such agencies will sell tickets for disabled fans. However, it might be a reasonable adjustment for the agencies to be given details of appropriate contacts at the club to whom they can refer disabled supporters seeking tickets.

TICKET PRICING

Some clubs offer concessionary prices for disabled fans. Subject to the points set out below, this is permitted under the DDA (as it is more, rather than less, favourable treatment) although it is not required, and clubs can charge disabled fans the full price, should they wish.

Such concessions should be clearly set out in the ticketing policy. There are likely to be two lawful ways in which concessions could be given to disabled people:

- By reference to the fact that they are disabled. This would have to apply to all disabled supporters, and could not be limited to those with only certain impairments. A policy that provided simply that blind supporters would have a concession, while deaf supporters would not, would be likely to be unlawful.

- By reference to certain sections of the stadium, e.g. the wheelchair accessible seating, or other areas reserved for disabled supporters.

Where non-disabled children receive a concession, disabled children should receive a similar concession, by reference to the relevant disabled adult ticket price.

Clubs may also have arrangements for providing free tickets to various groups (such as schools or local community associations) as part of their ticketing policy. In principle, disabled people should be included in this provision and where an offer is made to a school and a disabled student wishes to take up a seat, where possible that should be offered as a reasonable adjustment. Depending on the arrangements, it may also be reasonable, for example, to arrange that the other children attending should sit near the disabled student, so that they are not isolated. If, however, all of the accessible seating is already occupied, then the club may be justified in not offering any disabled seats as part of a free ticket offer.

PERSONAL ASSISTANTS (PAs)

Question regarding clubs' obligations to admit, charge and provide for PAs for disabled supporters are among the most common that are posed.

First, clubs are entitled to ask for confirmation that a disabled person requires a PA in order to access the services that are being provided (including a free ticket for a PA). If the disabled person could access the service without a PA, the club would not be obliged to admit a PA (unless, of course, they purchased a separate ticket). However, where a person is disabled within the meaning of the DDA, it is often more straightforward to offer a free ticket to a PA, rather than to enquire as to whether that particular disabled person does in fact require extra help.

TICKETING ISSUES (continued)

Where a disabled person does require a PA in order to be able to access the services that the club provides, the Premier League recommends that the club should admit both the disabled supporter and the PA, and charge only the price of admission for the disabled person. This is likely to be a reasonable adjustment that the club should make to permit the disabled person to access the services they provide.

Charging a disabled supporter and their PA a total greater than the full price of one ticket for the disabled supporter (including any concession for which they are eligible) would be likely to be unlawful. Where a disabled person requires personal support in order to attend a match, if the club do seek to charge for a PA and the disabled person refuses, the club would have to make reasonable adjustments – in particular arranging their own support – to allow the disabled person to access the services they provide.

Although they do not have to, a club may admit both the disabled supporter and their PA without charge. Where they do charge a price, this should be charged to the disabled supporter, as they are the person receiving the service.

Clubs cannot require disabled supporters to be accompanied by a PA, although they can encourage this. If a disabled supporter decides not to bring a PA, then the club cannot refuse to provide them with any service, unless there are valid reasons for doing so (and such reasons would need to fall within those described in the Guidance for clubs on 'What Duties are Placed on the club by the DDA'.

It is sometimes proposed by disabled people that children act as a PA. Providing that the child is indeed providing assistance to the disabled person to allow them to attend, the club should permit the child to act as a PA. Accordingly, clubs should not

seek to impose a minimum age for PAs. Equally, other disabled people may act as PAs.

Where the disabled person is a young child, and their PA is their parent, it is unlikely to be necessary for clubs 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 club'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.