



## Disability Inclusion Statement

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ClipnClimb Chelsea is wholly committed to the principles and aims of the Equality Act 2010 and to its implications for our customers. In accordance with our equality obligations, we take responsibility not to treat disabled customers less favourably than their non-disabled peers, and to comply with our duty to provide reasonable adjustments for those students with a disability who are at a substantial disadvantage compared to their non-disabled peers.

We aim to ensure that this principle applies in all aspects of the business and we seek to ensure that this principle is applied whenever relevant individual decisions have to be made or business policies reviewed.

### **Disability**

Section 6 of the Equality Act 2010 defines disability as any 'physical or mental impairment which has a substantial and long term adverse effect on someone's ability to carry out normal day to day activities'.

In the definition of disability given above:

- 'Impairment' can be a physical or mental condition
- 'Substantial' means 'more than minor or trivial'.
- 'Long term' means that the impairment has existed for at least 12 months, or is likely to do so, or that it is likely to last for the rest of the affected person's life.
- 'Normal day to day activities' could be determined by reference to the illustrative, non-exhaustive list of examples given on page 23 of the government's guidance.
- ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/85010/disability-definition.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85010/disability-definition.pdf)).

### **Disability Discrimination**

Within the Equality Act 2010, unlawful disability discrimination can be:

- **Direct discrimination:** discrimination which occurs because of the 'protected characteristic' of disability. This can be based on perception or association;
- **Discrimination arising from disability:** discrimination which occurs where a disabled customer has been treated unfavourably because of something connected with their disability;

- **Indirect discrimination:** discrimination which occurs where ClipnClimb Chelsea applies a 'provision criterion or practice' in the same way for all customers but which has the effect of putting disabled pupils at a particular disadvantage; and
- **Discrimination arising from a failure to make reasonable adjustments**

Indirect discrimination and discrimination arising from a disability can be justified if it can be shown to be a proportionate means of achieving a legitimate aim.

### **Less Favourable Treatment**

For 'less favourable treatment' to lead to unlawful disability discrimination, it must be shown to be:

- For a reason related to the person's disability; and
- Less favourable treatment than the treatment given to a person without disability, and not justified.

### **Justification**

Less favourable treatment can be justified if the reasons are material to the circumstances and substantial. In addition, in the case of customers, non-admission to ClipnClimb can be justified if it is the result of a 'permitted form of selection', so long as the criteria are not such as to exclude only customers with disabilities.

### **Accessibility**

ClipnClimb Chelsea is committed to ensuring that as far as reasonably practicable, our environment and our provision in its widest sense are accessible to customers with disabilities. We are ready to consider all reasonable adjustments that would, over time, help us to achieve this aim more fully and more effectively. This commitment is made within the limits imposed on us by such constraints as:

- Health and safety;
- The physical layout of the venue(s)
- The practicalities and cost implications of certain changes;
- The need to maintain standards
- The interests of other customers and the ClipnClimb Chelsea community as a whole.

### **Non-climbers in the Arena**

Due to health and safety restrictions, we do not allow non-climbers in the arena unless by prior arrangement and agreement with the management of ClipnClimb Chelsea. Reasons for allowing a non-climber into the arena would be in the instance of SEND or disabilities, where our own team are unable to provide the support or assistance required. Non-climbers are invited to watch the session from the viewing balcony which overlooks the arena.

### **1:1 Provision**

ClipnClimb Chelsea do offer 1:1 provision to customers who have specific needs. There is an initial charge of £35 for an evaluation with one of the senior members of

the team, to ensure that we are in a position to offer the assistance required. 1:1 sessions are available to all our guests for a charge of £35. Parents/carers of the customer are required to stay on the premises during the evaluation (which is one session long). If it is agreed that ClipnClimb can and will offer the necessary support, then the following conditions must be in place and agreed:

- There will be no additional charge for the provision of a member of staff for 1:1 sessions, and there is a maximum of 2 visits per calendar month. Anything above this will be discussed on a case by case basis and the final decision will rest with the Centre Manager.
- Parents/Carers are to stay on site during the sessions, and remain responsible for the climber at all times.
- Sessions must be booked by telephone at least seven days in advance, to enable us to rota the staff accordingly for a 1:1 session.