



## 4. Accessibility

### What are accessibility Action Plans?

The duty to prepare accessibility action plans for publicly accessible buildings only applies to the public sector.

Along with changes to physical features, there is a five year lead-in period for the States to draw up these plans (2027).

The required process of developing Accessibility Action Plans within the public sector will allow the government to plan and reasonably budget for the changes that are required.

Claims involving failure to make changes to physical features of buildings cannot be made until five years after the legislation is enacted and, even then, the defence of progressive realisation will be available to the public sector so long as relevant and reasonable plans exist to correct the particular issue.

There is no requirement for organisations outside the States to provide Action Plans but an organisation might find them useful and can refer to them if there is any dispute resolution required.

### **Is there a separate anticipatory accessibility duty?**

No.

For providers of education and goods or services the reasonable adjustment duty will be to disabled people generally, as in the UK. (Also see the sheet on reasonable adjustment).

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