

## **1. NODA's Position**

NODA exists to support its member societies.

It is important to clarify:

- NODA is **not a regulator, trade body, or accreditation authority**.
- NODA does **not provide arbitration or conciliation services for members of the public**.
- There is **no formal mechanism within NODA to investigate or determine external complaints made against member societies**.
- NODA does **not owe a contractual duty of care to members of the public**.
- There is **no obligation on a member society to use the NODA Legal Helpline**, nor is there any obligation on NODA to intervene in disputes involving third parties.

Complaints raised by members of the public must be addressed directly by the member society concerned.

## **2. Equality Act – Carer Tickets**

Societies are sometimes contacted by individuals asserting that carers must be provided with free tickets.

Under the Equality Act 2010:

- Service providers must make **“reasonable adjustments”** for disabled people.
- The Act does **not** state that carers' tickets must automatically be free.
- What constitutes a “reasonable adjustment” depends on:
  - The size and resources of the organisation
  - The financial model of the production
  - The practicality of the adjustment
  - The impact on the organisation
  - The individual circumstances of the request

A single legal decision involving one theatre does **not** create a blanket requirement for all societies to offer free carer tickets in every circumstance.

Each request should be assessed **individually and proportionately**.

## **3. Practical Response Strategy for Member Societies**

If faced with correspondence alleging discrimination or demanding free carer tickets, consider the following structured approach:

### **A. Move From Principle to Practicality**

If the request is not linked to a specific performance, you may wish to respond along the following lines:

“Please let us know which performance you would like to attend. We consider all requests for reasonable adjustments on a case-by-case basis.”

This:

- Demonstrates willingness to comply with the law
- Brings the discussion back to a real situation
- Avoids engaging in abstract policy arguments

### **B. Consider What May Be Reasonable**

Examples that may be reasonable in certain circumstances include:

- One complimentary carer ticket per disabled patron
- Complimentary carer tickets for specific performances only
- Discounted carer tickets
- Allocating accessible seating in appropriate locations

For example, offering a free carer ticket for a first-night performance only could potentially be considered reasonable, depending on circumstances.

There is no requirement that all performances carry free carer tickets.

### **C. Seek Advice**

To respond confidently and proportionately, a society may wish to:

- Seek independent legal advice
- Use the NODA Legal Helpline (optional)
- Consult a local disability charity or access advisory service
- Document the advice received

Taking expert advice demonstrates a proactive and responsible approach.

### **D. Offer Dialogue**

Where appropriate, consider:

- Offering a one-to-one meeting
- Proposing a mediated conversation
- Inviting written clarification of specific concerns

Sometimes complaints arise from genuine frustration rather than legal misunderstanding.

A calm and structured dialogue can de-escalate matters.

## **4. Managing Risk**

Societies should be aware that:

- Further correspondence may follow
- Social media commentary is possible
- A complaint under the Equality Act could be threatened

Practical steps include:

- Keep all responses factual and non-emotive
- Avoid defensive or confrontational language
- Maintain written records
- Ensure trustees are informed

A measured, transparent, and documented approach significantly reduces risk.

## 5. Diffusing the Situation

In many cases, the objective should be:

- To demonstrate compliance with the law
- To show willingness to consider reasonable adjustments
- To move away from generalised demands
- To keep the focus on specific, practical solutions

By introducing structure, clarity, and calm communication, societies can often prevent escalation.

## 6. Key Takeaways

- There is **no automatic right to a free carer ticket**.
- “Reasonable” depends on context.
- Each request should be assessed individually.
- Societies should respond constructively and proportionately.
- NODA does not adjudicate external complaints.