

# TERMS & CONDITIONS

## ACCESSIBILITY POLICY

**THIS POLICY IS INTENDED TO MEET THE REQUIREMENTS OF ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE AND APPLIES TO THE PROVISION OF GOODS AND SERVICES TO THE PUBLIC OR OTHER THIRD PARTIES, NOT TO THE GOODS THEMSELVES.**

BennyFitness Group Limited ("BennyFitness") will strive to provide services in a manner consistent with the principles of dignity, independence, integration and equal opportunity.

## THE PROVISION OF GOODS AND SERVICES TO PERSONS WITH DISABILITIES

BennyFitness will make every reasonable effort to ensure that its policies, practices and procedures are consistent with the principles of dignity, independence, integration and equal opportunity by:

- Ensuring that all Members receive the same value and quality;
- Allowing Members with disabilities to do things in their own ways, at their own pace when accessing goods and services as long as this does not present a safety risk;
- Using alternative methods when possible to ensure that Members with disabilities have access to the same services, in the same place and in a similar manner;
- Taking into account individual needs when providing goods and services; and
- Communicating in a manner that takes into account the Member's disability.

## ASSISTIVE DEVICES

Persons with disabilities may use their own assistive devices as required when accessing goods or services provided by BennyFitness. The provision, use and safety of personal assistive devices are the responsibility of the person with a disability.

In cases where the assistive device presents a safety concern or where accessibility might be an issue, other reasonable measures will be used to ensure that Members are able to access our services.

# **GUIDE DOGS, SERVICE ANIMALS AND SERVICE DOGS**

Member with a disability that is accompanied by guide dog, service animal or service dog will be allowed access to BennyFitness premises that are open to the public unless otherwise excluded by law. "No pet" policies do not apply to guide dogs, service animals and/or service dogs.

## **EXCLUSION GUIDELINES:**

If a guide dog, service animal or service dog is excluded by law (see applicable laws below) BennyFitness will offer alternative methods to enable the person with a disability to access goods and services, when possible (for example, securing the animal in a safe location and offering the guidance of the Staff).

There may be rare circumstances where, for reasons of health and safety of another person, allowing a person with a disability to enter a premises accompanied by a service animal needs to be considered. An example of such a situation may include where a person is allergic to animals and adversely affected if they are in close proximity to a service animal. If deemed necessary, a risk assessment will be conducted by BennyFitness's Staff. The risk assessment will include identifying the risks inherent with the service animal being in the area of concern and identify alternate measures available to enable the person with a disability to access BennyFitness's services.

## **CARE AND CONTROL OF THE ANIMAL:**

The Member that is accompanied by a guide dog, service dog and/or service animal is responsible for maintaining care and control of the animal at all time. The safety and clean up of the service animal is also the responsibility of the person with a disability.

## **SUPPORT PERSONS**

If a Member with a disability is accompanied by a support person, BennyFitness will ensure that both persons are allowed to enter the premises together and that the Member is not prevented from having access to the support person.

Support persons will be required to sign the Guest Sign-in Sheet which includes a liability waiver. In addition, support persons are permitted to enter BennyFitness locations for the purposes of providing assistance to Members with a disability only. They are not permitted to provide services that otherwise could be provided by BennyFitness Staff, for example Personal Training services.

There may be rare circumstances where, for reasons of health and safety, BennyFitness may require a person with a disability to be accompanied by a support person when accessing services at BennyFitness's premises. For example, a Member with a brain injury or mental disorder may be prone to confusion, outbursts

or agitation that are best handled by individuals who are properly trained or familiar with the person with a disability.

Where it is necessary to discuss confidential information with a Member, the Member's consent will be obtained prior to discussing such information with the support worker present.

## **GUEST FEES:**

Support persons will not be required to pay any guest fees to enter our locations when they are attending exclusively to provide support to a Member with a disability. The support person will however be required to fill out any applicable Guest liability waiver.

## **NOTICE OF DISRUPTIONS IN SERVICE**

Service disruptions may occur due to reasons that may or may not be within the control or knowledge of BennyFitness. In the event of any temporary disruptions to facilities or services that Member's with disabilities rely on to access or use BennyFitness's goods or services, reasonable efforts will be made to provide advance notice. In some circumstances such as in the situation of unplanned temporary disruptions, advance notice may not be possible.

Notifications will include:

In the event that a notification needs to be posted the following information will be included unless it is not readily available or known:

- Goods or services that are disrupted or unavailable;
- Reason for the disruption;
- Anticipated duration; and
- A description of any alternative services or options.

## **NOTIFICATIONS OPTIONS:**

When disruptions occur BennyFitness will provide notice by:

- Posting notices in conspicuous places including at the point of disruption, at the main entrance and the nearest accessible entrance to the service disruption;
- Contacting Members with appointments, whenever possible;
- Verbally notifying Members when they are making appointments, whenever possible;
- Posting information through various social media outlets: BennyFitness website, as well as BennyFitness's Twitter and Facebook accounts;
- If one of our locations is going to be closed for longer durations, the phones within our Clubs will be forwarded to the nearest location to ensure our Members can talk to someone directly;
- Any other methods that we may determine are reasonable in the circumstances.

## **FEEDBACK PROCESS**

BennyFitness will provide Members with the opportunity to give feedback on our delivery of services to Members with disabilities. Information about the feedback process will be readily available in all of our facilities, or by contacting a club by telephone. Feedback forms along with alternate methods of providing feedback such as verbally (in person or by telephone) or written (hand written, delivered, website or email), will be available upon request.

## **SUBMITTING FEEDBACK:**

Members can submit feedback to:

- Any Staff within our locations;
  - By contacting our Member Experience Department at [memberservices@BennyFitness.co.nz](mailto:memberservices@BennyFitness.co.nz);
  - Via mail to Member Experience, c/o BennyFitness Group Limited, Private Bag 12002, Nelson Mail Centre, Nelson 7042;
  - By email to [memberservices@BennyFitness.co.nz](mailto:memberservices@BennyFitness.co.nz); or
  - By visiting our website, specifically: <http://www.BennyFitness.co.nz/contact-us>
- Members who wish to provide feedback by completing an onsite Member feedback form or verbally can do so to any BennyFitness Staff member.

Members that provide formal feedback will receive acknowledgement of their feedback, along with any resulting actions based on concerns or complaints that were submitted.

Where possible, feedback will be addressed immediately. Some feedback may, however, require more effort to address and may need to be reviewed before an action is taken. BennyFitness will respond as soon as possible in such circumstances.

## **TRAINING**

Training will be provided to:

- All Staff, volunteers, agents and/or contractors who deal with the public or other third parties that act on behalf of BennyFitness; and,
- Those who are involved in the development and approval of customer service policies, practices and procedures.

## **TRAINING PROVISIONS:**

Training for our Staff pertaining to this policy will cover the following:

- Instructions on how to interact and communicate with people with various types of disabilities.
- Instructions on how to interact with people with disabilities who:
- Use assistive devices;
- Require the assistance of a guide dog, service dog or other service animal; or

- Require the use of a support person (including the handling of admission fees).
- Instructions on what to do if a person with a disability is having difficulty accessing our services.
- BennyFitness's policies, procedures and practices pertaining to providing accessible customer service to Members with disabilities.

## **TRAINING SCHEDULE:**

BennyFitness will provide training as soon as practicable. Training will be provided to new Staff, volunteers, agents and/or contractors who deal with the public or act on our behalf.

For new Staff training will be a part of the email that new Staff receive when hired (New Staff Welcome email) and will need to be completed within their first ninety (90) days of employment with BennyFitness. Revised training will be provided in the event of changes to legislation, procedures and/or practices.

## **NOTICE OF AVAILABILITY AND FORMAT OF DOCUMENTS**

BennyFitness shall notify Members that the documents related to the Accessibility Standard for Customer Service are available upon request and in a format that takes into account the Member's disability. Notification of such availability will be given by posting the information in a conspicuous place in each of the premises owned and operated by BennyFitness and on BennyFitness's website.

## **PROCEDURE / PROCESS:**

Administration

If you have questions or concerns about this policy or its related procedures please contact our Member Experience Department: