

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 9 November 2006
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DEVELOPING THE COUNCIL'S DISABILITY EQUALITY SCHEME

Purpose

1. To brief the Cabinet on preparations being made to present a full draft Disability Equality Scheme (DES) to the Council later this month.

Executive Summary

2. Publishing and implementing a Disability Equality Scheme is a statutory duty. It is also important given local needs (including the disability issues faced by elderly people and particular ethnic minorities). The Scheme will set out a realistic and achievable action plan to enable the Council to build on its existing services for people with a disability.
3. The action plan being prepared as part of the DES is likely to focus on:
 - (a) assessing the impact of policies and services on people with a disability;
 - (b) greater consultation and engagement with local disability groups;
 - (c) better external communication on disability issues;
 - (d) the use of more detailed research information and performance monitoring;
 - (e) employment practices; and
 - (f) more training for both councillors and staff.

Background

3. Under the Disability Discrimination Act, public authorities have a general duty to promote disability equality. More details of these statutory requirements can be found in Appendix A. Public authorities also have a specific duty to publish a Disability Equality Scheme by 4 December 2006.
4. As has already been discussed with the Leader and the relevant portfolio-holder (Councillor Edwards) recent unavoidable, additional work pressures (eg, from official inspections) have meant that it is not possible to present the full draft Scheme to this Cabinet meeting prior to consideration by the full Council on 23 November. However, this report sets out the key points.
5. The Disability Equality Scheme under development will build on the Council's commitment to give equal treatment and access to everyone, which is set out in SCDC's Equality and Diversity Policy. Examples of existing practical help and support that the Council provides for people with a disability can be found in Appendix B.

Considerations

6. In developing the DES, officers are adopting a format similar to that used for the Race Equality Scheme (RES), which has already been endorsed by Members and has received positive comments from external partners and specialist consultants.

7. A provisional structure for the DES can be found in Appendix C. The full Scheme is likely to be around 15–20 pages in length (some councils' schemes are much longer).
8. The DES action plan will cover a three-year period (2006-09), with annual monitoring and progress reports. In view of the effects of council tax capping and the Council's Medium Term Strategy, officers are mindful of the need to make sure that the action plan is realistic and achievable.
9. Officers are taking the following steps to prepare for the Disability Equality Scheme:
 - (a) drawing on the relevant (180-page) code of practice from the Disability Rights Commission (the summary alone is 30 pages long);
 - (b) carrying out web searches of disability equality schemes being developed by other councils;
 - (c) liaising with local disability groups and research teams at the County Council and Primary Care Trust in order to gather more details about the scale and type of disability issues in the district (see current summary in Appendix D);
 - (d) seeking views of local disability groups at the South Cambridgeshire Voluntary Forum last month (see Appendix E);
 - (e) inviting views from councillors, staff, trades unions and visitors to SCDC's website who have personal experience of disability issues in the district (<http://www.scamb.gov.uk/CouncilAndDemocracy/Equality/disability.htm>);
 - (f) co-ordinating replies from managers across SCDC services in relation to
 - (i) existing practices and policies that help to promote disability equality,
 - (ii) current information on customer needs and service performance,
 - (iii) future actions that services can take within available resources.
10. From progress made so far, it has already become apparent that SCDC needs to:
 - (a) develop its understanding of disability issues (recognising 'hidden' disabilities as well as physical disabilities) and the impact that SCDC services make;
 - (b) communicate more fully the help and support that Council services already provide for people with a disability;
 - (c) engage more fully with local disability groups and people with a disability, making use of the advice and expertise that is already available from them;
 - (d) be committed to taking realistic and achievable action as part of the DES in spite of SCDC's financial position. As one local disability group mentioned at the voluntary forum, some of the most effective changes that can be made are also the least expensive;
 - (e) address the anomaly that there is currently no corporate budget for meeting the Council's statutory duties for promoting equal opportunities - not just disability equality (see paragraph 14). This is needed to fund corporate training on equal opportunities and requests for SCDC leaflets/other information to be translated into other languages or alternative formats (eg, large print or audio versions). At the moment these costs are currently met by individual services and represent an unpredictable draw on limited resources.

Options

11. The publication and implementation of a Disability Equality Scheme is a must-do. The main options are around the lead Member and officer arrangements and the action plan that will form a key part of the DES.
12. **Lead responsibilities:** In keeping with the Race Equality Scheme, it is proposed that lead Cabinet responsibility for the Disability Equality Scheme be assigned to the portfolio-holder for Resources, Staffing, Information and Customer Services.
 - (a) The lead officer for co-ordinating the day-to-day approach will be confirmed once the review of second tier posts has been completed. For the time being, Tim Wetherfield, Head of Policy and Communication, (also the lead officer for the RES) will take on the role.
 - (b) The DES will make clear that it applies to all councillors and staff. All portfolio-holders and managers are expected to promote disability equality through all Council services, particularly those for which they have responsibility.
13. **Provisional action plan:** Based on the preparations made so far, officers are developing an action plan, which takes account of both the issues in paragraph 10 and SCDC's resource constraints. In the full draft Disability Equality Scheme, this will be presented in a table format similar to the Race Equality action plan (see Part 5 of the RES), including columns identifying the officer responsible for implementing each action and the target timescales. For the time being, here is a provisional list of actions (those marked with "*" are dependent on Member approval of the corporate budget for Equal Opportunities (see paragraphs 10[e] and 14). This list is likely to be supplemented by further specific actions being developed by service managers.

Assessing the impact of policies and services on people with a disability

- (a) Develop impact assessment criteria relating to disability issues.
- (b) Address disability issues within:
 - (i) the current review of the corporate complaints procedure;
 - (ii) the Customer Access Strategy, being developed;
 - (iii) the Sustainable Communities Strategy;
 - (iv) other strategies being developed within the next three years (eg, on Community Safety, Housing and Homelessness).
- (c) Develop a schedule for reviewing the impact of existing services.
- (d) Develop guidance for staff on disability issues to be addressed with the 'equal opportunities implications' section of Cabinet/committee reports.

Greater consultation and engagement with local disability groups

- (e) Local disability groups to be consulted as part of the preparation of new Council strategies.
- (f) Service managers to attend meetings of the Voluntary Forum (say, one service per quarter) in order to seek views and advice from local disability groups. This will include further discussion about the DES at the forum's next meeting in January 2007.

- (g) An Access Advisory Group to be established and to receive relevant training (this relates to the comments from local disability groups about plan vetting).
- (h) Explore opportunities for SCDC officers to attend existing meetings held by local disability groups – in order to consult – as an alternative to expecting people with a disability to attend consultation events arranged by the Council.
- (i) * Purchase a portable induction loop for use at consultation events run by the Council at any locations that do not already have this facility.

Better external communication on disability issues

- (j) Publicise the finalised Disability Equality Scheme on the Council's website and send a copy to all local disability groups.
- (k) Feature disability issues in future editions of South Cambs magazine (eg, publicity about the new DES, a 'day in the life' article from a customer/resident with a disability, coverage of support and advice available from SCDC).
- (l) Produce an annual report on progress in implementing the Disability Equality scheme, including performance monitoring information.
- (m) * Make sure that Council leaflets and publications highlight the availability of alternative formats / large print versions.

Use of more detailed research information and performance monitoring

- (n) Develop the profile of disability needs in South Cambridgeshire, in particular working with the County Council on district-specific research soon to be available from a project with Manchester University.
- (o) Analyse the responses to the surveys of benefit claimants and housing tenants, which were carried out earlier in 2006/07.
- (p) Study the findings from the 2006/07 Best Value satisfaction surveys in order to identify particular issues experienced by people with a disability, which may merit further action.
- (q) Develop consistent disability monitoring categories, which could be used in future surveys undertaken by SCDC services.

Employment practices

- (r) Make available on SCDC's website a job application form that can be completed electronically.
- (s) Hold regular discussions with the trades unions in order to discuss reasonable adaptations and support that the Council can provide staff with a disability.
- (t) Update managers' job descriptions (as these come up for renewal as part of the Transformation Project) to make responsibilities for equal opportunities and equalities schemes (including the DES) more specific.

- (u) Carry out a data capture survey of all SCDC employees, to gather up-to-date personal information (including details of disabilities and needs).
- (v) Identify disability equalities 'champions' from across the range of SCDC services (possibly as part a new corporate Equal Opportunities officer steering group).

More training for both councillors and staff

- (w) * Run a Member training session for Cabinet members and the chairman/vice chairman of SCDC committees, using speakers from local disability groups.
- (x) * Arrange a presentation by local disability groups at a meeting of full Council in order to raise awareness amongst all Members of disability issues facing local residents.
- (y) * Provide disability awareness training for all SCDC managers, using speakers from local disability groups.
- (z) * Run a lunchtime seminar open to all staff on disability awareness issues, again using speakers from local disability groups.

Implications

14.

Financial	It should be possible to fund most of these actions within existing resources – with the exception of those relating to equalities awareness training and production of SCDC information in alternative formats(*). It is hoped that these can be funded from a bid for a corporate Equal Opportunities budget (£10,000 p.a. in 2007/08 – 2011/12), which is included in the report on the Medium Term Financial Strategy elsewhere on this Cabinet agenda. This budget would support all equal opportunities strands (eg, disability, race, age).
Legal	The DES is a statutory requirement under the Disability Discrimination Act. The general duty can be enforced via a judicial review but the specific duties are enforced through a compliance notice issued by the Disability Rights Commission.
Staffing	There will be workload implications, not just for the DES lead officer but also for staff across all service units as they help to implement the DES action plan and adapt their services (following impact assessments) to minimise any inequitable practices and promote disability equality.
Risk Management	Equal opportunities/equality scheme issues feature on the Council's corporate risk register as a critical risk. The likelihood of failing to comply with official requirements within the next 12 months is rated as 71 – 90%. The impact of the risk is rated as medium (eg, local adverse publicity, statutory sanctions, litigation, public interest report). This is being addressed by the approach/preparations outlined in this report.
Equal Opportunities	The links between disability equality and age and race equality are highlighted in Appendix D, paragraphs 2 and 3.

Consultations

15. Arrangements made to consult local disability groups and people with a personal experience of disability issues in South Cambridgeshire (including councillors and staff) are set out in paragraph 9 above. The intention is to continue this consultation and involvement beyond the 4 December deadline in order to strengthen the Scheme throughout its first year and beyond.

Effect on Annual Priorities and Corporate Objectives

16.	Affordable Homes	The Disability Equality Scheme is central to all SCDC objectives. The DDA statutory requirements relate to all services. Local disability groups have already identified planning and housing services as being particularly relevant. This underlines the importance of the Council's priorities for affordable housing and the design of Northstowe and major growth areas (re:accessibility issues) and improving customer services. Disability equality is about addressing individual needs, including hidden disabilities (eg, learning difficulties and mental health problems). This needs to be integrated into the Council's approach to Service First and customer relations and also into partnership working (eg, the Sustainable Communities Strategy).
	Customer Service	
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	
	Sustainability	
	Partnership	

Conclusions/Summary

17. This is an important statutory issue, which all Council services and Cabinet members need to respond to. The production of the Disability Equality Scheme is just the first step, which needs to be followed by implementation of realistic actions.

Recommendations

18. The Cabinet is asked to note the preparations being made to present a full draft Disability Equality Scheme to the Council on 23 November 2006.
19. Members' comments are invited at the Cabinet meeting, particularly in relation to the lead responsibilities for the Disability Equality Scheme (paragraph 12 refers) and the provisional action plan (paragraphs 13 [a] – [z] refer).

Background Papers:

The following background papers were used in the preparation of this report:

- "Doing the Duty", Disability Rights Commission, December 2005
http://www.drc-gb.org/employers_and_service_provider/disability_equality_duty.aspx.
- The Duty to Promote Disability Equality (Statutory Code of Practice), DRC, December '05
- 2001 Census information for South Cambridge, Office for National Statistics:
<http://www.statistics.gov.uk/census2001/profiles/12UG-A.asp#people>.
- Public Health Data Set 2005, Cambs & Peterborough Public Health Network.
- Traveller Needs Assessment 2005-10, Cambridge sub-region, June 2006.
- Equality and Diversity Policy, SCDC, SCDC, September 2003.
- Race Equality Scheme 2005 – 2008 (revised), SCDC, July 2006
<http://www.scambs.gov.uk/CouncilAndDemocracy/Equality/equality.htm>.

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