

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Housing Portfolio Holder 19 November 2009  
**AUTHOR/S:** Chief Executive / Equality and Diversity Officer

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### DRAFT DISABILITY EQUALITY SCHEME

#### Purpose

1. To request that the Housing Portfolio Holder comment on, endorse and recommend the draft Disability Equality Scheme for a 12-week consultation period with internal and external stakeholders.
2. This is a key decision because
  - it is likely to be significant in terms of its effects on communities living or working in all wards of the District.
  - it raises new issues of policy, or is made in the course of developing proposals to amend the policy framework, or is a decision taken under powers delegated by the Council to amend an aspect of the policy framework.
  - it is of such significance to a locality, the Council or the services which it provides that the decision-taker is of the opinion that it should be treated as a key decision.

and it was first published in the April 2009 Forward Plan.

#### Background

3. The Disability Discrimination Act 2005 widens the Disability Discrimination Act 1995, and acknowledges that if society is to improve the life chances of disabled people the public sector must take a lead. The Council must promote equality for people with disabilities, those with physical, visual or hearing impairments, those with learning difficulties, with long term medical conditions which adversely affect their day to day living, and those with mental illness. In promoting opportunities for these traditionally overlooked groups it must 'have due regard' to eliminate unlawful discrimination and promote equal opportunities.
4. The Council must also consider the elimination of the harassment of disabled people, the promotion of positive attitudes and the need to encourage the participation of disabled people in public life. These duties relate to the provision of services, the employment of staff and in the buying of services. There is also a duty to publish a Disability Equality Scheme.
5. Following a positive peer review, Cabinet self-declared on 2 July 2009 that the Council was at Level 2 of the Equality Standard for Local Government (which equates to "Developing" in the new Equality Framework for Local Government).
6. Equality is an important element of our Aim to make our services accessible to all and our Value of Mutual Respect. In 2009/10 we have a challenging work programme to embed equality and diversity within the Council and to build networks with external communities around equalities issues. One of the main tasks to be addressed in 2009/10 includes the development of a revised Disability Equality Scheme.

## Considerations

7. This Disability Equality Scheme adopts the official Disability Discrimination Acts definition of disability: *A person is disabled if they have a physical or mental impairment, which has a substantial or long – term adverse effect on his or her ability to carry out normal day-to-day activities.*

## Implications

8. Financial	Within existing budgets. The Council is being supported and sponsored by the joint East of England Regional Assembly and Improvement East project “Meeting the Equality Challenge.” The Project consists of a variety of measures including training activities, master class workshops, and in-house support.
Legal	Discrimination law protects people and the Council has a public responsibility to ensure that it adheres to its legislative requirements. Statutory duties in relation to equalities ensure that our services are open to, and, accessible by all our residents and reflect the diversity of our rural district.
Staffing	The Equality and Diversity Officer is responsible for mainstreaming equalities into the Council with the support of the Equality and Diversity Steering Group and Equalities Consultative Forum.
Risk Management	The Council could be successfully challenged over not complying with general equalities legislation or legislation specific to public and local authority bodies, <i>leading to</i> financial compensation payments and penalties, possible Commission for Human Rights and Equalities inspection, <i>resulting in</i> reduction in reserves available to support balanced MTFs, adverse publicity and effect on reputation.
Equal Opportunities	A Disability Equality Scheme sets out our plans for making equality happen for disabled people living in South Cambridgeshire.

## Consultations

9. The current draft of the Disability Equality Scheme has since been endorsed by the Equality and Diversity Steering Group in October 2009.

## Effect on Strategic Aims

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| 10. | <b>Commitment to being a listening council, providing first class services accessible to all.</b>   |
|     | The Disability Equality Scheme will directly contribute to the achievement of this strategic aim, demonstrating that it is seeking and listening to the views of all residents and providing first class services to all. |

## Conclusions/Summary

11. The Disability Equality Scheme aligns with the commitments set out in the Comprehensive Equalities Policy 2009 -2012. An Equalities Implementation Work Programme has been developed to meet the commitments outlined in the Comprehensive Equalities Policy. It addresses the most important things, which must be delivered, focusing particularly on compliance with statutory requirements.

## **Recommendations**

12. The Housing Portfolio Holder is invited to comment on, endorse and recommend the draft Disability Equality Scheme for a 12-week consultation period with internal and external stakeholders.

**Background Papers:** the following background papers were used in the preparation of this report:

Comprehensive Equalities Policy 2009 -2012

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