

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Housing Portfolio Holder

21 July 2010

AUTHOR/S: Chief Executive / Corporate Manager, Community & Customer Services

DRAFT DISABILITY EQUALITY SCHEME (VERSION 2)

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 May 2010 Forward Plan.

Recommendations and Reasons

3. That the Housing Portfolio Holder comment on, endorse and recommend the updated version of the draft Disability Equality Scheme for a 12-week consultation period with internal and external stakeholders in order to ensure that the Council is fully compliant with the statutory duty set out in the Disability Discrimination Act (2005).

Background

4. 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.
5. 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 every three years.
6. The Housing Portfolio Holder previously endorsed an earlier version of the Council's Disability Equality Scheme in November 2009. However, due to the urgent need to review the Council's Gender Equality Scheme in response to a direction from the Equality and Human Rights Commission (EHRC), work on the Disability Equality Scheme ceased temporarily.

7. The updated version of the Disability Equality Scheme has been developed in light of the work conducted on the Council's new Gender Equality Scheme and incorporates key improvements to ensure that the Council complies with the statutory duty as well as lead to positive and specific improvements in disability equality for the Council and wider community.

Considerations

8. 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

9. Financial	Within existing budgets. The Council is being supported and sponsored by the joint East of England Local Government Association and Improvement East project "Achieving on the Equality Journey." The Project consists of a variety of measures including training activities, master class workshops, and in-house support.
Legal	The Council has a public responsibility to ensure that it adheres to legislative requirements in relation to equalities, which 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 Equality and Human Rights Commission inspection, <i>resulting in</i> reduction in reserves available to support balanced MTFs, adverse publicity and effect on reputation.
Equal Opportunities	The Council's is committed to eliminating discrimination and prejudice, and developing a culture which values difference, both in employment and service delivery. Our commitment to equalities is based on the idea of equal life chances. This helps local authorities to develop an equal society for the community, which it serves. A Disability Equality Scheme sets out our plans for making equality happen for disabled people living in South Cambridgeshire.
Climate Change	None specific.

10. Consultations

The Equality and Diversity Steering Group endorsed an earlier version of the Disability Equality Scheme in October 2009.

Effect on Strategic Aims

11. Equality is an important element of our Strategic Aim to deliver first class services accessible to all and our Value of Mutual Respect.

Conclusions / Summary

12. 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.
13. The updated version of the draft Disability Equality Scheme incorporates key improvements to ensure that the Council complies with the statutory duty as well as lead to positive and specific improvements in disability equality for the Council and wider community.

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

Comprehensive Equalities Policy 2009 -2012

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