

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Housing Portfolio Holder

17 November 2010

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

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### **DISABILITY EQUALITY SCHEME**

#### **Purpose**

1. To request that the Housing Portfolio Holder comment on, endorse and adopt the updated version of the Disability Equality Scheme 2009 – 2012 on behalf of the Council.
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**

3. That the Housing Portfolio Holder comment on, endorse and adopt the updated version of the Disability Equality Scheme 2009 – 2012 on behalf of the Council.

#### **Reasons for Recommendations**

4. The Housing Portfolio Holder originally commented on, endorsed and recommended that an updated version of the Disability Equality Scheme be subject to 12-weeks consultation at his meeting on 21 July 2010. The attached Disability Equality Scheme is the final post-consultation version and ensures that the Council is fully compliant with the statutory duty set out in the Disability Discrimination Act (2005).

#### **Background**

5. 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.
6. 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.

7. 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.
8. 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

9. 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.*

### Options

10. This Disability Equality Scheme will remain in force until the Council's first Single Equality Scheme supersedes it in 2011.

### Implications

11. Financial	Within existing budgets. Unfortunately, the Council is no longer being supported and sponsored by the Improvement East project "Achieving on the Equality Journey." This follows the decision by the Coalition Government to withdraw CLG funding from the East of England Local Government Association.
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 Medium Term Financial Strategy, adverse publicity and effect on reputation.

Equality and Diversity	The Council is committed to eliminating discrimination and prejudice, and developing a culture which values difference, both in employment and service delivery. Its 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 the Council's plans for making equality happen for disabled people living in South Cambridgeshire.
Equality Impact Assessment completed	Yes A partial EQIA was completed in November 2009 and no adverse impacts were identified. As expected, the Disability Equality Scheme has a positive impact on people with a disability.
Climate Change	None specific.

### Consultations

12. The Equality and Diversity Steering Group endorsed an earlier version of the Disability Equality Scheme in October 2009. The Disability Equality Scheme has been subject to widespread consultation with Council staff, Councillors, local residents, community groups, partner organisations and other associations between 2 August 2010 and 24 October 2010.
13. The Disability Equality Scheme was also available for public consultation via the Council's website. Only three responses were received overall in relation to the Disability Equality Scheme. The main reason for the low response rate is that this Disability Equality Scheme will only remain in force for a short time until the Council's first Single Equality Scheme supersedes it in 2011.

### Effect on Strategic Aims

14. Equality is an important element of the Council's Strategic Aim to deliver first class services accessible to all and its Value of Mutual Respect.

### Conclusions / Summary

15. 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.
16. 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 (Version 2)

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