

Disability Equality Scheme



November 2006



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Disability Equality Scheme

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Foreword

Welcome to Malvern Hills District Council's Disability Equality Scheme.

Over the past few years the Council has become increasingly aware of the importance of equalities and diversity issues in general and has been working for some time to address these matters. Indeed, equality for all has been the Leader of the Council's lifetime passion.

We therefore welcome the introduction of the new Disability Equality Duty which helps us focus on the issues faced by people with disabilities. This Scheme sets out how the Council will meet this new Duty.

The Disability Equality Scheme has been developed through discussions with a variety of local residents and groups representing their particular needs. Our thanks go to those individuals and groups for making Council staff so welcome. It is clear from the comments of colleagues involved in these meetings that they were struck by the enthusiasm for life which people had as they dealt with their disabilities.

This contact has already increased our understanding of some of the issues for people with disabilities. We know that it is only by working in partnership with local groups representing those with disabilities that we can really appreciate the perspective of disabled members of our community. We look forward to working with them as we take this Scheme forward, learning from each other and finding ways in which the Council can better meet their needs through the way we provide our services, our employment practices and community leadership.

We hope you will find this document of interest. For details of how you might contribute to disability equality or how you can obtain a copy of the document in an alternative format (for example, large print, braille or audio) or a different language, please see page 12.



Councillor Di Rayner
Leader of the Council



Chris Bocoek
Chief Executive

1. Introduction

Malvern Hills District Council is very committed to Equalities and Diversity. We understand the need for action on equalities and diversity issues both to benefit the community and the Council itself as an organisation.

In 2004 the Council adopted a Corporate Equality Policy and also achieved Level 1 of the Equalities Standard for Local Government. In 2005 we were part of a programme run by the then local government Employers' Organisation known as 'Diversity in the Districts', which assisted us in progressing Equalities and Diversity in the organisation. A lot of work has taken place over the last two years and we consider that the Council is now very close to being able to claim Level 2 of the Standard.

The Council therefore welcomes the introduction of the Disability Equality Duty which allows us to give some specific focus to the issues facing members of our community with disabilities.

2. What this Scheme is about - A Brief Outline

The Council has a statutory duty, from December 2006, in carrying out its functions to promote equality of opportunity for people with disabilities, eliminate discrimination and harassment, promote positive attitudes, encourage participation by people with disabilities in public life and take account of people's disabilities, even if it means treating them more favourably than others.

This Scheme sets out how the Council will do this. In brief, the Council will:

- Work in partnership with people with disabilities and groups representing them;
- Gather and analyse evidence in relation to gaps in service provision and our employment of people with disabilities. To do this, as well as receiving information from such people and representative groups, we will use focus groups, other channels of customer feedback and statistics (for instance in relation to the make up of our staff);
- Carry out Equalities Impact Assessments. We will work with disabled groups to prioritise policies and service areas for assessment and involve them in the assessment, ensuring information gathered is fed into the process;
- As a result of the information gathered and Equalities Impact Assessments, take action to remedy or reduce any identified adverse impacts or gaps between the satisfaction levels of people with and without disabilities, focusing on effective change and outcomes and the efficient use of resources;

- Publish a report annually giving details of progress made against the Scheme's three year Action Plan, including the things we have done over the year to eliminate discrimination and promote equality of opportunity.

Additionally, by working with disabled people and their representative groups, and with training where appropriate, the Council expects to build up expertise in disability equality issues.

We also aim, by our actions under the Scheme, to set an example to others in the community.

3. Council Vision, Objectives and Priorities

The introduction of the Disability Equality Duty fits in well with the Council's Vision, Objectives and Priorities.

Improving outcomes for people with disabilities will increase confidence in our ability to deliver our vision of:

A district which has first class services and facilities, is clean, safe, healthy and prosperous and has vibrant and active communities.

We want people with disabilities to be able to play their part in and benefit from the Council's objectives, which are as follows:

- Clean and green
- Safe, healthy and active
- Prosperity shared by all
- A connected district
- Affordable, decent housing
- First class services and facilities

The Council's Priorities for Improvement are as follows, and include issues which are important for people with disabilities:

- Recycling
- Affordable Housing
- Community Health and Well-Being
- Town Centre Enhancement
- Street scene/cleanliness
- Local Transport

Core principles underpinning everything the Council does are:

- A sustainable future
- Valuing diversity
- Accessibility

- Community Pride and citizenship
- Valuing and developing our employees
- Quality and Value
- Advocacy

4. Equality and Diversity Work to Date

In developing its work in Equalities and Diversity, the Council is working to the Equality Standard for Local Government, a framework designed to ensure that equality feeds into all aspects of policy, employment and service delivery. It has five levels:

Level 1 – Commitment to a Comprehensive Equality Policy

Level 2 – Assessment and Consultation/Participation

Level 3 – Setting equality objectives and targets

Level 4 – Information systems and monitoring against targets

Level 5 – Achieving and reviewing outcomes.

The Council achieved Level 1 in September 2004 and we hope to achieve Level 2 very shortly. We are aiming to get to Level 3 by April 2008.

In order for us to achieve our aims, equality and diversity need to be built into our business planning and everything that we do. The Vision, Objectives and Priorities for Improvement are reflected in service Management Plans which also include equality action planning and target setting. From these are developed individual employees' personal objectives, with progress reviewed at least annually.

Some services are provided by others on the Council's behalf and we are also a large purchaser of various goods. The Council seeks to ensure that organisations from which it obtains goods and services are taking a similar approach to Equalities and Diversity.

5. Disability Defined

According to the Disability Discrimination Act 1995 (DDA):

A person has a disability if he or she has a physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

However, as pointed out by the Disability Rights Commission (DRC) in their Statutory Code of Practice, 'the poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their

impairments or medical conditions, but rather stems from attitudinal and environmental barriers’.

This ‘social model of disability’ provides the basis for the Council’s disability equality work which recognises that it is social ‘barriers’ such as prejudice and stereotypes, service and employment design and delivery, and little or no access to information, buildings and transport which cause disability rather than impairments.

In approaching Disability Equality, the Council recognises that people with disability will also have differing experiences depending on their gender, age, sexuality, religion and ethnicity.

6. The Disability Equality Duty

The Disability Discrimination Act 1995 (as amended by the Disability Discrimination Act 2005) requires that, from December 2006, all public authorities promote equality of opportunity for people with disabilities. The objective is that people with disabilities have full opportunities and choices to improve the quality of their lives and to be respected and included as equal members of society. To this end the Council will proactively anticipate the needs of people with disabilities, and integrate disability equality into all our decisions and activities. The General Duty under the Act specifies that in carrying out their functions public authorities have due regard to the need to:

- promote equality of opportunity between disabled persons and other persons
- eliminate discrimination that is unlawful under the Act
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life;
- take steps to take account of disabled persons’ disabilities, even where that involves treating disabled persons more favourably than other persons.

Note: Under the DRC’s Statutory Code of Practice, ‘due regard’ means that all Council decisions and functions should give due weight to the need to promote disability equality in proportion to its relevance. Due regard to disability may also require additional dedicated services to enable people with disabilities to access mainstream activities on equitable terms.

The General Duty also requires that due regard to disability equality goes beyond making decisions about the future, to taking action to tackle the consequences of past decisions which did not give due regard to disability equality, such as closing gaps in service or employment outcomes between people with and without disabilities.

To meet the General Duty the Council will:

- integrate, disability equality into all decisions and activities through impact assessments;
- gather and analyse evidence, identifying and addressing gaps in service and employment provision, and
- prioritise remedial actions.

This will be achieved by involving and working in partnership with people with disabilities and groups representing them. In doing this, the Council will

- report progress publicly,
- set an example to others,
- build staff expertise and training in disability equality issues and initiatives, and
- focus on effective change or outcomes, and efficient use of resources.

The Council also has a Specific Duty under the Act to produce a Disability Equality Scheme, which sets out, amongst other things, how the Council will fulfill the General Duty. This Scheme, which has been produced with people with disabilities and their representative groups, covers the various requirements of the legislation.

7. Context – Local and National

Data relating to disability in this District, compared to the situation in Worcestershire and England is set out below:

% Population, 16 and over, Physically Disabled

Malvern Hills	Worcestershire	England
20.3%	17.9%	17.3%

Incidence of Physical Disability, by type, as % of Population

	Malvern Hills	Worcestershire	England
Locomotor Disability (mobility)	15.2%	13.2%	12.7%
Personal Care Disability (assistance required for every day tasks)	7.6%	6.8%	6.5%
Sight Disability	2.9%	2.5%	2.5%
Hearing Disability	5.7%	4.9%	1%
Communication Disability (difficulty speaking)	1.5%	1.4%	1.4%

Source: National Health Survey, 2001

(Data relating to mental health was not covered by the above survey.)

% Population with limiting long term illness, health problem or disability

Malvern Hills	Worcestershire	England
18.1%	16.7%	17.9%

Source: 2001 Census

% Economically Active Population (aged 18-64) with limiting long term illness, health problem or disability

Malvern Hills	Worcestershire	England
12.8%	12.4%	14.2%

Source: 2001 Census

8. Understanding through Involvement - Developing the Scheme

Development of this Disability Equality Scheme has been undertaken with the involvement of local groups collectively representing a wide range of disabilities. Individual users of these groups have also made valuable contributions to identifying issues and barriers experienced in daily life.

The Council intends to continue to develop these relationships and has established a Group to progress the Scheme. We believe that by proactively engaging with people with disabilities we will continue to gain a good indication of needs and actions necessary to improve service and employment provision and sharpen focus for our community leadership role in promoting disability equality. Local groups will be encouraged to work with Council staff as much as practicable to share expertise and knowledge and to develop clear, effective

and progressive actions to take forward Disability Equality. Organisations involved in this Scheme to date are listed at Appendix A.

As an example, from the discussions with local groups held so far, the following general issues have emerged:

- The need to raise awareness, and to demonstrate positive attitudes and break down stigma;
- The need to provide better access to information, particularly for those with learning disabilities where the use of pictures and symbols as well as words may help;
- The need to assist with the integration of support, including issue resolution information and gaining better access to services.

Addressing these issues has been included in the Scheme's Action Plan.

9. Monitoring and Evaluation

Taking Account of the Needs of People with Disabilities in our Services and Functions

The Council has already begun Equalities Impact Assessments in respect of its services and functions, in relation to race and gender as well as disability. A significant number of managers have received training on this matter. We are now looking at ways of developing our work in this area, and making adjustments to our methodology in the light of experience. Equalities Impact Assessments are also discussed later in this Scheme.

Obtaining information from community groups in general is seen as being important in helping the Council understand the impact of its services and functions and assessing its progress towards equality. Discussions with users of day centres and local groups representing people with disabilities have started to identify issues of concern (as referred to above). We will continue to meet with the Group we have established to gain further information and identify particular needs and actions to improve services. We will do this through agreeing priorities for and gaining assistance with carrying out Equalities Impact Assessments.

Methods of monitoring such things as take up of Council services and any gaps in satisfaction levels, are being explored. Focus groups and customer surveys have provided views on Council services for several years. Greater involvement and representation of people from minority groups in these and the use of other communication channels such as local Councillors will be encouraged to improve understanding of service accessibility issues and increase participation in public life.

When we see that services are having an adverse impact (for instance because of the way they are provided) or where there is a gap between the satisfaction levels of people with and without disabilities, the Council will ensure that this

information is used to remedy or reduce the effects or gaps in service provision. We will share the information corporately (without breaching Data Protection legislation) to build up a picture of where problems arise within specific groups or services.

Employment with the Council

The Council is required to measure the effect of its policies and practices on the recruitment, development and retention of disabled employees and to specify the information gathering systems it will use for this purpose.

The Council already monitors information about staff. For instance, we hold data on the number of employees who are disabled, and the number of disabled job applicants. What data is gathered and how it is used is currently being reviewed, including the way in which any issues emerging will be addressed. Where a need for managerial action is highlighted the Head of Strategic Support will report to the Senior Management Team.

The Council has for many years held the 'Positive about Disabled People' symbol, which confirms that the Council meets the 'Five Commitments' regarding the employment, retention, training, career development and review of practices regarding disabled employees.

We are aware that the proportion of the Council's workforce declaring themselves disabled in 2005/06 (1.36% ie 3 out of 220) is low in comparison to the 12.8% of economically active population of Malvern Hills with a long-term illness, health problem or disability which limits daily activities or work (Census, 2001). However, there may be a reluctance to self declare disability, which may be reduced through awareness raising with all staff and enabling disabled staff to feel confident that disclosure will lead to a positive response.

10. Assessing Services and Policies Impact on Disability Equality

Establishing Priorities

The criteria for assessing the relevance of proposed and current Council services and policies for disabled people will be developed with Disability Equality Scheme partners. This will allow services and policies to be prioritised for Equalities Impact Assessment in relation to disability equality.

Relevance

Officers involved in each Council activity, working with Disability Equality Scheme partners, will determine whether:

- the service or policy is a major one in terms of scale or significance for the authority's activities; or

- there is a clear indication that, although the service or policy is minor, it is likely to have a major impact upon people with disabilities. A policy which has an extremely negative impact on a small number of people with disabilities will be of greater relevance than one which has only a minor impact on a large number of people with disabilities.

If a service or policy falls within either of these categories an Equalities Impact Assessment is likely to be required as a High Priority. The assessment will be carried out with our partners and will include:

- i) Consideration of available data, data required and how it will be gathered.
- ii) Consideration of any feedback from or consultation with service users
- iii) Identification of the effect of the service or policy on people with disabilities such as any detrimental impact or shortfall in take up by people with disabilities or missed opportunities to promote disability equality.
- iv) Consideration of ways of reducing any adverse impact and alternative approaches to achieve policy aims which better promote equality for disabled people.
- v) Arrangements for monitoring future impact focusing on those most affected by the service or policy.

11. Publication of Actions Taken

Annually, the Council will publish a report giving details of the progress made against the Disability Equality Scheme's Action Plan, and what we have done over the past year to eliminate discrimination and promote equality of opportunity. The results of information gained through Equalities Impact Assessments, consultation and monitoring will be published along with details of actions taken (or proposed to be taken) as a result. This information will be published on the Council's website, in hard copy and will also be available in variety of other formats such as braille, large print, audio tape etc. Consideration will be given to including this information with other reports which the Council publishes on an annual basis, for example the Council Plan.

12. How to Comment and obtain Further Information

Contributions to the development of Disability Equality are welcomed.

Comments and complaints about any aspects of the Council's services can be made by contacting:

Tina Clarke,
Policy and Projects Officer,
Malvern Hills District Council,
The Council House,
Avenue Road,
Malvern,
Worcs WR14 3AF

Tel: 01684 862477

Textphone: 01684 862186

Email: tina.clarke@malvernhills.gov.uk

Other Formats

The Disability Equality Scheme is available to read or listen to on our website: www.malvernhills.gov.uk . It can also be made available in a range of languages, on tape, in braille, large print and other formats. For further information please contact the above.

13. Action Plan - 2007 – 2009

Action	By Whom	By When
Information Gathering		
Review arrangements for gathering information about performance on disability equality	Diversity Working Group	End of 2007
Gradually increase knowledge base and measurement of disability equality progress, putting in place additional mechanisms for gathering evidence on our performance	Service Units & Policy & Projects Team	End of 2007
Conduct a disability audit to establish proportion of Council workforce that is disabled	HR& Policy & Projects Team	End of 2007
Encourage, through raising awareness, feedback from disabled employees on extent needs met by the Council	HR& Policy & Projects Team	End of 2007
Review and strengthen arrangements for gathering information in relation to recruitment, development and retention of disabled employees	HR & Policy & Projects Team	End of 2007
Equalities Impact Assessment		
Prioritise activities with Disability Scheme Partners, according to relevance, for disability equality impact assessment	Diversity Working Group and Disability Equality Scheme Partners	April 2007
Establish impact assessment methodology with Disability Equality Scheme partners	Diversity Working Group and Disability Equality Scheme Partners	April 2007
Using Impact Assessments, determine extent to which policies and services, as prioritised, take account of the needs of disabled people	Diversity Working Group and Disability Equality Scheme Partners	End of 2009

Communications		
Review communications to ensure disabled people are portrayed in positive roles	Strategic Support Unit	April 2007
Investigate potential for information in simpler and additional formats such as the Widget system of words and symbols and MP3 sound files on website and introduce new facilities	Diversity Working Group	End of 2007
Involvement		
Promote greater integration of support, and therefore access to services, by developing the Disability Equality Scheme partner network and sharing knowledge and expertise and signposting.	Diversity Working Group	End of 2009
Establish and promote ways of encouraging disabled people and organisations representing them to have a greater say in how they think our services affect them, how they can be improved and assist evaluation of whether improvements have been realised eg. raising awareness of overview and scrutiny panels and opportunities to be involved in decision making.	Diversity Working Group and Disability Equality Scheme Partners	End of 2009
Develop and implement an awareness raising plan which reinforces two way involvement between disabled people and organisations representing them and Council staff and projects understanding throughout the wider community including other organisations eg. employers.	Diversity Working Group and Disability Equality Scheme Partners	End of 2009
Resources		
Investigate and if possible take up opportunities to attract resources for training, research, involvement and Disability Equality Scheme partner initiatives eg. awareness raising and access guides.	Diversity Working Group and Disability Equality Scheme Partners	End of 2007
Reporting		
Publish a disability equality progress report annually summarising actions taken, results of information gathering and use of this information	Policy & Projects Team	End of 2007 and annually

Disability Equality Scheme – Partners

Alzheimers Society

ARCOS – Association for Rehabilitation of Communication and Oral Skills

Comet Group

Community Action

Connect (South, Malvern)

Deaf Direct Ltd

DIAL (South Worcestershire)

IDEAS – Independent Disability Equality Advisory Services

Malvern Access Group

Malvern Branch, Worcestershire Association for the Blind

Malvern Hills District Council

Malvern Hills Older Persons Forum

Malvern Mind

MS Society

Malvern Social Education Centre

Malvern Special Families

Rethink

St Richard's Hospice Foundation

Worcestershire Association of Service Users

Worcestershire Association of Voluntary Organisations in Community Care

Worcestershire County Council - South Worcestershire Physical Disability and Sensory Impairment Teams

Worcestershire Lifestyles

Worcestershire Mental Health Network