

DISABILITY EQUALITY SCHEME (DES) 2007 - 2009**1. INTRODUCTION**

1.1 The Disability Discrimination Act 2005 (DDA) places a general duty on public authorities to eliminate unlawful discrimination and harassment of people with disabilities; promote equality of opportunity between disabled people and others; and, in carrying out its work take into account of disabled persons disabilities even where that means treating disabled persons more favourably than other people.

1.2 The DDA also places several specific duties on the Council:

- publish a Disability Equality Scheme (DES) no later than 4 December 2006.
- Involve people with disabilities in the development of the DES
- publish in the DES how the Council will assess the impact of its policies and practices, or the likely impact of its proposed policies and practices on disabled people.
- include in the DES the Council's arrangements for gathering information on the effect of its policies on people with disabilities and show how this information is used to assist it in its performance.
- show how the information gained is used to improve the recruitment, development and retention of people with disabilities.
- produce an action plan for the next 3 years
- review and report on progress every year
- review the scheme every 3 years

1.3 This report seeks approval of the attached draft DES as the Council's DES for 2007-2009 in accordance with its statutory obligations.

2. DES 2007 - 2009

2.1 This is the first time that any public body has been required to produce a DES. As such there has been no model that could be used in its production. Care has been taken therefore to follow the statutory code of practice "The Duty to Promote Disability Equality" published by the Disability Rights Commission.

- 2.2 The distinctive difference with this scheme and previous other similar equality duties is the need to involve rather than just consult with the people most effected by the scheme namely people with disabilities. This change has since been imbedded into the Gender Equality Scheme and the Equality Standard and therefore will continue to be the style of future equality work.
- 2.3 To meet this duty an Involvement Day was held in May 2006 to seek from disabled people themselves, as well as their carers, representatives of organisations of and supporting people with disabilities, and partner public bodies what barriers they face in their daily lives. The list of issues they raised has become the action plan attached to the DES.
- 2.4 A DES Advisory group made up of volunteers from the community was then formed. The role of this group initially was to ensure that the Council remained faithful to the issues and priorities raised by the disabled community. Once the DES has been approved their role will change to one of monitoring and reporting on progress as well as keeping the Council up to date on any changing needs. The contribution and support of these residents has been much appreciated by your officers.
- 2.5 Care has also been taken to involve services of the Council in the preparation of the DES and its action plan. Employees representing Unison, Human Resources and front line services took part in the DES Advisory Group. The Corporate Equality (Officer) Group were also involved in the initial preparations, the involvement day and the putting together of the text. Heads of Service have contributed the assessment of their functions, policies and services.
- 2.6 The Equality Network has also been kept up to date with progress through out the development of the DES and at key stages have been asked for their comments, suggestions and ideas.

3. FURTHER INVOLVEMENT

- 3.1 As stated above the DES Advisory group will continue to support the Council through out the 3 year life of the DES. The wider Equality Network will also be consulted especially as actions unfold.
- 3.2 Also a number of the actions will become part of services' improvement plans and their involvement of customers with disabilities should ensure progress is proportional and appropriate.

4. IMPLIMENTATION OF THE DES

4.1 The actions will be undertaken in a range of ways. Some will be incorporated into services day to day service provision as stated above. Some will be carried out by organisations of disabled people themselves with perhaps a little support from the Council. Others will be carried out with or by partners. There are also a number that the Council will help facilitate in its role as a community leader where it has no direct responsibility. An example would be the publication of information on the responsibilities of employers towards recruiting people with disabilities.

5. ENVIRONMENTAL IMPLICATIONS

5.1 There are no direct implications arising from approving the DES. However it is hoped any indirect results will have a positive effect on the ability of people with disabilities to enjoy the environment to its full.

6. FINANCIAL IMPLICATIONS

6.1 There may be minor financial implications arising from some of the improvement activity. The intension is to fund these from existing resources.

7. CRIME AND DISORDER IMPLICATIONS

7.1 The promotion of the needs of people with disabilities should improve understanding and awareness of disability and therefore help reduce discrimination and harassment requiring intervention by other agencies.

8. CONCLUSIONS

8.1 The Council has a legal duty to produce a DES with the involvement of people with disabilities and to implement it over a 3 year period. It is believed the proposed DES will satisfy that legal duty.

9. PORTFOLIO HOLDER COMMENT

9.1 Councillor Maureen Holding as the Council's champion for equality issues supports the approval of the scheme.

10. RECOMMENDATION

- 10.1 That the proposed Disability Equality Scheme, as detailed in Appendix 1 (circulated to Cabinet members only), be approved for 2007-2009.

For Further Information Please Contact:

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Background Papers:

Published papers