

EAST AYRSHIRE COUNCIL

CABINET – 16 DECEMBER 2009

REVIEW OF THE DISABILITY EQUALITY SCHEME 2006 – 2009 AND THE INTERIM DISABILITY EQUALITY SCHEME 2009-2010

Report by the Depute Chief Executive/Executive Director of Corporate Support

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide Cabinet with a review of the Disability Equality Scheme 2006 – 2009 and to submit for approval an Interim Disability Equality Scheme 2009 – 2010.

2. BACKGROUND

- 2.1 The Policy & Resources Committee at its meeting on 3 November 2006 approved the Council's Disability Equality Scheme which outlined the Council's framework for meeting its obligations under the Disability Discrimination Act 2005.
- 2.2 Under the legislation, the Council has placed on it General and Specific Duties. The purpose of these duties is to put in place a framework for the Council to carry out its functions more effectively and to tackle discrimination and its causes in a proactive way.
- 2.3 Under the specific duties, the Council must, on an annual basis, publish a report containing a summary of:
- the steps it has taken to fulfil its disability equality duty (the action plan);
 - what the Council has done to eliminate discrimination and promote equality of opportunity;
 - the results of the information-gathering which it has carried out;
 - what the Council has done with the information gathered and what actions will be taken as a result of what the information indicates.
- 2.4 This report provides information on the matters identified in paragraph 2.3 above.
- 2.5 As indicated in paragraph 2.3 above as part of the Specific Duties, the Council is obliged to produce a Disability Equality Scheme covering a three year period. The current Scheme covers the years 2006 -2009 and in normal circumstances a Scheme for 2009 – 2012 would be being submitted for approval at this time. However, under the new Equality Bill, which is expected to receive Royal Assent in Spring 2010, the Specific Duty will be to produce a Single Equality Scheme

covering all of the protected characteristics of race, disability, gender, age, sexual orientation, religion and belief, pregnant and maternity and gender re-assignment. Accordingly, having regard to this changing legislative framework it is proposed to adopt an interim Disability Equality Scheme for 2009-2010.

3. REVIEW OF THE DISABILITY EQUALITY SCHEME 2006 - 2009

3.1 Review of our Action

3.1.1 Promote Equality of Opportunity Between Disabled Persons and Other Persons

- A full training programme on equality training which included disability issues, commenced in October 2007. To date, all Elected Members, Executive Directors, Heads of Service and the majority of 4th Tier Managers have received this training.
- An on-line Equality and Diversity Training course was successfully piloted in January 2009 and to date 600 employees have completed the course. The delivery mode will be on a phased basis for each service area within the Council.
- An off-line course has also been developed and will be rolled out from January 2010 for those employees who do not have computer access.
- An audit of all disability awareness training is being collated within the Council and will be reported to the Equalities Strategy Group in February 2010 in order to develop a consistent and co-ordinated approach within the Council.

3.1.2 Eliminate Discrimination that is Unlawful Under the Disability Discrimination Act

- The Disability Equality Scheme is available on the Council's websites, Local Offices and Libraries and is also available on request in different formats.
- New internal structures were developed in 2008 which established four Departmental Equality groups to ensure that information from the Equalities Strategy Group is effectively disseminated regarding all aspects of equality including disability equality and that all equality schemes are monitored.
- The Procurement Team in the Legal, Procurement and Regulatory Services have taken account of the equality issues pertaining to procurement which have been incorporated into the Council's formal tender documentation.

3.1.3 Eliminate Harassment of Disabled Persons that is Related to their Disability

- A new Equality Impact Assessment toolkit was adopted by the Council earlier this year and to date, 70 employees have been trained. Further training will be

available from January 2010 to ensure all identified employees have undergone Equality Impact Assessment Training.

- An 'Audit and Prioritisation of Relevant Policies,' produced by all departments last year has been updated and will be circulated to relevant employees by the end of December 2009. This document will also be published on the Council's websites.
- To ensure that employees are aware of their actions when harassment related disability is witnessed, employees will be receiving training which incorporates definitions of bullying and harassment etc. In addition a Manager's Guide and Employees Guide to the Council's Harassment and Bullying Policy and Procedures are being issued to all employees.

3.1.4 Promote Positive Attitudes Towards Disabled Persons

- The Council successfully developed new community engagement structures in January 2008 to ensure equality issues are addressed. An Equality Forum was established alongside the Local Community Planning Forums and the Young Peoples' Forum.
- The Equalities Forum meets bi-annually and is supported by four Networks covering Race, Gender, Disability and Older People. The Equality Forum consists of 16 community representatives, 4 from each of the Networks, 7 Elected Members and 5 Council Officers.
- However the Council is aware that other methods should be utilised alongside the development of the Equality Networks and Forums and uses a number of varied methods of communication, such as direct contact with individuals and organisations, the development of Women in Public Services' Forum etc.
- The Council also support two active Access Panels, Cumnock and Doon Valley Access Panel and East Ayrshire Access Panel North District. Both Access Panels proactively seek to work with the Council in all manner of issues including improving access to the built environment.
- The Equality Forum and the Disability Network are working with the Council to ensure that services are accessible. The Equality Forum and Disability Network set annual priorities to be addressed which are evaluated on an annual basis.
- The Equality Forum concentrated on access to services at its meeting in February 2009 and information from this event was fed into the appropriate service areas to ensure where possible recommendations are taken on board.
- One of the issues discussed was communication in plain English and the Communication and Customer First Manager is considering this issue as part of the Council's new Communications Strategy.

- A review of the Equality Forum was conducted in May 2009. The feedback from all relevant parties was that the new structure was working effectively.

3.1.5 Encourage Participation by Disabled Persons in Public Life

- The Disability Network allows community members to participate in a number of different methods from attending meetings to receiving minutes, e-mailing etc.
- The Disability Network membership continues to grow and is now represented on the Equality Forum and Community Planning Forums.
- Community members have been involved in attending a number of meetings including; Community Planning Forums, Equality Impact Assessment of Housing Allocations Policy, consultation on the Cultural and Leisure Strategy and launch of the DisabledGo website. They will also be attending the Budget Allocation consultations in November 2009 and January 2010.
- The Council also ensures that all meetings/consultations are held in accessible buildings and times that are suitable to members attending. Travelling expenses are paid to community members to ensure that there are no financial barriers to participation.

3.1.6 Meet Disabled Persons' Needs, Even if this Requires More Favourable Treatment

- The Disability Network allows community members to participate in a number of different methods from attending meetings to receiving minutes, e-mail etc.
- The meeting venues are rotated to ensure that there is a geographical spread throughout the year. Meetings have been scheduled in line with the needs of disabled people to ensure that full participation can take place. This takes into account location of venue, suitability in respect of access, requirements for visual and hearing impairments and timing of meetings
- The Council ensures that all travelling expenses are paid to community members to ensure that there are no financial barriers to participation.

3.1.7 Information Gathering

- A new web-based Performance Management System is being rolled out across the Council, and this new system will be used to help the Council further improve performance, contribute to outcome focused planning and delivery of services.
- Monitoring information on equality strands is also collated in a number of different ways within the Council.
- The Equality Strategy Group produced a Corporate Equality Monitoring Form to ensure continuity and consistency within the Council. This form was approved by

Cabinet on 2 December 2009. This will ensure that information collated will be easily analysed in order to inform policy and used to take appropriate action to rectify any adverse impact identified by service areas.

3.1.8 Involvement of Disabled People

- As previously stated in paragraph 3.1.5, the Council successfully developed new community engagement structures in January 2008 to ensure that disabled people are involved in the decision making processes within the Council.
- Disabled people have been involved in a number of ways through attending Community Planning Forums, Equality Impact Assessment of Housing Allocations Policy, consultation on the Cultural and Leisure Strategy and launch of the DisabledGo website. They will also be attending the Budget Allocation consultations in November 2009 and January 2010.
- The Council are developing a Single Equality Scheme and information has been disseminated to the Disability Network and other disabled groups within East Ayrshire to ensure that they will be involved at the earliest opportunity.

3.2 The Action Plan showing progress against the objectives contained in the Disability Equality Scheme for 2006 – 2009 as summarised above is available on the Members' Portal and Information Point.

4. INTERIM DISABILITY EQUALITY SCHEME 2009-2012

4.1 As indicated above, the Council has a statutory obligation to review the Disability Equality Scheme on a three yearly basis.

4.2 The Interim Disability Equality Scheme 2009 – 2010 sets out the Council's intentions in fulfilling both the specific and general duties over the next year and will then be replaced by the Council's new Single Equality Scheme during 2010.

4.3 The Scheme sets out the points raised within paragraph 2.3 of this report highlighting the support the Council offers to disabled people from various service areas and Disability Equality in Education.

4.4 In addition the Scheme has been developed in a similar style to that of both the Race and Gender Equality Schemes in order to assist the development of the Single Equality Scheme during 2010.

4.5 The proposed interim Disability Equality Scheme for 2009 – 2010 and its related Action Plan are available on the Members' Portal and Information Point.

5. POLICY, LEGAL AND RISK IMPLICATIONS

5.1 The approval of the Interim Disability Equality Scheme and its related Action Plan will enable the Council to meet its statutory obligations and its policy objectives in relation to the promotion of equality for all its citizens.

6. COMMUNITY PLAN IMPLICATIONS

- 6.1 The Interim Disability Equality Scheme and Disability Action Plans will contribute to the achievement of all aspects of the Community Plan.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications arising at this time. Any future financial implications arising from action taken under the Interim Disability Equality Scheme and related Action Plan will require to be met from Departmental resources.

8. RECOMMENDATIONS

- 8.1 Cabinet is recommended to:
- i. note the review of the Disability Equality Scheme 2006-2009;
 - ii. approve the Interim Disability Equality Scheme 2009-2010; and
 - iii. otherwise note the content of the report.

Elizabeth Morton
**Depute Chief Executive/
Executive Director of Corporate Support**
1 December 2009

BACKGROUND PAPERS

1. Disability Equality Scheme – Report by Depute Chief Executive/Executive Director of Corporate Support to Policy and Resources Committee of November 2006
2. Disability Equality Scheme Progress Report – Report by the Depute Chief Executive/Executive Director of Corporate Support to Cabinet of December 2007
3. Disability Equality Scheme Progress Report – Report by the Depute Chief Executive/Executive Director of Corporate Support to Cabinet of 17 December 2008.

Any person wishing further information should contact Martin Rose, Head of Human Resources, Tel: (01563) 576092.

Implementation Officer: Martin Rose, Head of Human Resources