

Disability Equality Scheme 2006/2007

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Foreword

Rossendale has a vibrant and diverse community base. It has a population of 65,669, centred on four main areas of Bacup, Haslingden, Rawtenstall and Whitworth. The strength of the Valley is in its diversity, in relation to culture, population and geography. The Disability Discrimination Act 2005 provides a focus for the Council's ongoing work to ensure services are provided on an equal basis to all members of the community and there is equality of opportunity for all employees.

There are an estimated 11 million disabled adults in the United Kingdom (20% of the total adult population) and 770,000 disabled children. The Council recognises that disabled people may not have the same opportunities or choices in life as non-disabled people, and often this is as a result of barriers in society. The Council has set itself the challenge of addressing and removing barriers which prevent disabled people from enjoying equal access to our services and employment opportunities.

Central to the development of this Scheme is the involvement of disabled people. This underpins Rossendale's Vision of involving local people to deliver "Rossendale Alive".

Signed



Carolyn Wilkins
Chief Executive

If you would like to comment on this document please contact

Liz Murphy

Head of Human Resources

Tel: 01706 252452

Large print, audio and translated copies of this document can be made available on request.

1. Introduction

1.1 The Disability Equality Duty was introduced in the Disability Discrimination Act (DDA) 2005 (s.49A). There is a general duty or “duty to promote disability equality”, which applies to all public authorities, plus additional specific duties applicable to all local authorities. Therefore as a requirement of the general duty Rossendale Borough Council must have due regard to doing the following (DDA 2005 s.49A):

- 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 favorably than other persons.

1.2 Similar to the Race Equality Duty, this duty aims to put disability equality at the heart of policy making, service delivery, regulation, enforcement, and employment practice. However, the Disability Equality Duty is broader and more far reaching than the Race Duty in that the Council must also seek to eliminate harassment of disabled people, and is able to positively discriminate in favour of disabled people in order to produce an equitable outcome. The duty introduces a framework within which the Council should operate.

1.3 The duty to promote disability equality covers everyone who is protected by the Disability Discrimination Act (DDA) including people who have:

- Learning difficulties
- Mental health conditions
- Mobility impairments
- Visual impairments

- Hidden/Unseen impairments
- Long-term debilitating illness as defined with the Act
- Those who are deaf or hard of hearing

In addition to the range of health issues covered by the term “disability”, the Disability Discrimination Act 2005 added to the list by including multiple sclerosis, cancer and progressive conditions.

1.4 The Act also introduces specific duties to enable authorities to meet their overall general duty:

- To publish a Disability Equality Scheme demonstrating how it intends to fulfill its general and specific duties
- To involve disabled people in the development of the Scheme

2. Rossendale Borough Council’s Disability Equality Scheme

2.1 Disability equality is about making things fairer for disabled people.

2.2 The Scheme will include statements on

- How the Council involves disabled people in the development of the Scheme
- How the Council will carry out impact assessments
- What steps the Council will take towards fulfilling its general duty as detailed in the “action plan”
- How the Council will gather information in relation to employment, and where appropriate, its delivery of its functions
- How the Council will use the information we have gathered, particularly in reviewing the effectiveness of its action plan and in preparing the Disability Equality Scheme
- How the Council will monitor its progress in completing the actions set out in its action plan and how it intends to use information it gathers to help it plans future services for disabled people.

2.2 The Council will publish a report annually containing a summary of the steps taken under the action plan, the results of our information gathering and how we have used the information.

3. The Council's vision and priorities

The Council has worked with the local strategic partnership to develop a community strategy and delivery plan, launched in June 2005, covering eight strategic themes as follows:

- Community Safety – a place where people do not live in fear of crime;
- Health – a place where vulnerable people are looked after and all residents can look forward to a long healthy life;
- Education – a place where people of all ages will be well educated and capable of providing business with the human resource to compete in highly competitive global markets;
- Environment – a place which has attractive rural settings, a fantastic street scene and is easily accessible for all;
- Housing – a place where people have a choice of high quality housing which is affordable to all;
- Economy – a place where job prospects and wages are high and the cost of living is low;
- Community Network – a place where all opinions count and people respect and celebrate difference in gender, disability, sexuality, race, culture and religion;
- Culture – a place which is a cracking place to live for people of all ages live and is widely accepted as a major place to visit.

- 3.1.** The Council's contribution to the vision is defined by its overarching mission of '8 x 8 by 2008'. This means that by 2008 the Council is determined to have 8 out of 10 customers satisfied with its services. In addition the Council will seek to have 8 out of 10 of its corporate priority indicators (referred to as BVPI's – Best Value Performance Indicators) in the top quartile of performance by 2008.

4.0 Corporate Objectives and Priorities for Improvement:

- 4.1.** Similar to the Community Strategy, the Council has eight Corporate Objectives of which five of these are shared with the Local Strategic Partnership (i.e. Environment; Housing; Culture; Economy; Community Involvement). In addition to the shared objectives, the Council has three internal objectives which are categorised as follows:-
- Improvement – the continuous provision of high quality public services built upon the foundations of Finance, Risk, Performance, Procurement and Human Resources Management

- Customers – being responsive and proactive to meet the needs of all our customers (i.e. 'Putting Customers First')
- Partnerships - increasing capacity to deliver through effective partnerships

4.2. Across the eight RBC Corporate Objectives, local people and councillors have identified priorities for improvement. The aim of the prioritisation process is to ensure that the Council's resources and business plans are focused on delivering on the things that really matter to the well-being of Rossendale residents. The following list represents a ranked list of priorities for improvement (together with their associated Corporate Objective):-

1. Embedding our Customer Promise (Customers)
2. Delivering Regeneration across the Borough (Economy)
3. Street Scene and Liveability Partnership (Environment)
4. Revenues and Benefits Strategic Partnership (Partnership)
5. Promoting Rossendale (Economy)
6. Financial Management (Improvement)
7. Implementing the Member Development Strategy (Comm.Network)
8. Implementing the HR Strategy (Improvement)

4.3 The Disability Equality Scheme is an important part of the Council's Contribution to the:

- Strategic themes of Community Network and Culture.
- Corporate Objectives of Community Involvement and Customers
- Priorities for Improvement of Embedding our Customer promise and implementing the HR Strategy

The General Duty requires the Council to adopt a proactive approach to mainstreaming disability equality into all decisions and activities.

The Council has adopted the Equality Standard for Local Government as It's framework for mainstreaming equalities throughout the organisation. This standard is a national framework for mainstreaming and promoting equal opportunities. The Standard is a central government Best Value Performance Indicator against which the Council is assessed over 5 levels of achievement:

- Level 1 – Making a commitment to a Comprehensive Equality policy
- Level 2 – Assessing whether functions are delivered equitably and Consulting with service users about their needs and experiences

Level 3 – Setting Equality objectives and targets

Level 4 – Developing and using systems to monitor whether services are being delivered equitably

Level 5 – Achieving and reviewing outcomes

The Council as at 2006 has assessed itself as at Level 2. As part of the mainstreaming process disability equality has been included in the Corporate Equality Plan. The Corporate Equality Plan is a 3 year overarching Strategic Plan containing clear targets and a summary of the work the Council is doing to provide services that recognise and promote peoples individual qualities irrespective of disability, gender, race, religion, sexual orientation and age. The

Plan has been prepared in accordance with the Equality Standard for Local Government. The Plan currently contains a range of targets.

Those relating to Disability are detailed below:

Indicator	Performance 2005/6	Target 2006/7	Target 2007/8	Target 2008/9
BV2a The level of Equality Standard for Local Government to which the authority conforms	Level 2	Maintain and Embed Level 2	Level 3	Level 4
BV2b Duty to Promote Race Equality	57.89%	63.16%	68.42%	73.64%
BV 11a The percentage of top 5% of earners that are women	62.50%	50.00%	50.00%	50.00%
BV 11c The percentage of top 5% of earners who have a disability	7.84%	5.50%	6.00%	7.00%
BV 16a The percentage of employees meeting the Disability Discrimination Act 1995 definition of	4.76%	5.50%	6.00%	6.50%

Disability				
BV 16b The percentage of economically active people in LA area declaring they have are disabled	17.90%	17.90%	17.90%	17.90%

5.0 **Responsibility for the Scheme**

Rossendale Borough Council has overall responsibility for the Disability Scheme.

Elected members, Managers, Employees and partner agencies all have a role to play in helping the Council to meet its duty to promote equality for disabled people.

The key people and groups involved in co-ordinating activities across the Council:

- There is a lead Cabinet Member responsible for Equalities
- The Project Sponsor of the Disability Equality Scheme is the Head of Human Resources, who is responsible for ensuring that the Scheme is in line with the Council's objectives and is fit for purpose.
- The Manager of the Disability Scheme is the Human Resources Manager, who is responsible for monitoring the delivery of the scheme and co-ordinating revisions that become necessary.
- The Equalities Implementation Group, comprising Equality Champions from each service area which is responsible for setting and monitoring targets, considering impact assessments, sharing good practice and approving policy developments. The role of the group is to drive and oversee the equality agenda.
- There is an Equalities Consultation Group comprising representatives from the community. The role of the group is to consider impact assessments and consider if the functions of the Council can be improved to meet the needs of individuals within the community.
- There is an Overview and Scrutiny Committee which monitors activities within the Council relating to Equality and monitors risk.

6. How Rossendale will meet the requirements of the Disability Equality Duty

The Disability Policy sets out the Council's overall objectives, principles and commitments to disabled employees and the community.

6.1 Equality Impact Assessments

The Council currently has a system for carrying out Race Equality Impact assessments and this is currently under review. We propose to extend this methodology for carrying out Disability Equality Impact assessments.

The Council will carry out a Disability Equality Impact assessment in order to decide whether an existing or proposed policy, procedure, practice or service will have a negative effect or adverse impact upon, or will discriminate against disabled people.

Corporate guidance and training has already been provided in relation to carrying out Equality Impact Assessments. In addition two learning sets have been run to train and coach staff to be able to carry out this function. The impact assessment comprises an initial stage which involves identifying the main aims and objectives of the policy and how this could potentially impact on disabled people. The next stage is a full assessment which involves consultation and involvement of disabled people, research and collating this information to establish what actions are required. The results of the Equality Impact Assessments are publicised on the web.

6.2 Involvement

The Council has established mechanisms for consulting and involving disabled people via the development of a programme management approach to project delivery which requires a communication plan and an impact assessment and the development of a consultation and engagement strategy. However, we recognise that there is room for improvement in the way we engage and involve disabled people in the decision-making process and we will seek to address this through the development and delivery of the Scheme. The Council has created a consultation group and built in consultation and communication in relation to the development of major strategies impacting on how the Council delivers its service.

As demonstrated by the consultation in relation to the development of the Council's Parks and Open Spaces Strategy.

6.3 Training

The Council recognises that it is critical for its staff to have the skills and knowledge to help eliminate unlawful discrimination and promote equal opportunities. Training is provided in a number of areas:

- Compulsory Disability Awareness training course for all members and officers.
- Compulsory Legislative Framework training in relation to Equalities including making a complaint utilising the harassment and bullying procedure.
- Impact Assessment training for officers required to complete impact assessments
- Sign language where identified through a personal development review as relevant to carrying out the job.
- General equalities training compulsory for Members and all employees

6.5 Employment

The Council will ensure that employment policies and procedures follow the requirements of legislation and that best practice is applied to prevent any discrimination in recruitment, selection, pay, promotion, training, grievance and staff leaving the employment of the Council. Monitoring has already been established in these areas and this information is reported to Overview and Scrutiny Committee.

The Council operates a fair Recruitment and Selection process to ensure that its policies and procedures are inclusive and accessible as possible. The Council promotes its commitment towards disability equality by:

- Guaranteeing disabled applicants who meet the minimum requirements a job interview
- Advertising all its vacancies internally and externally (unless at a time of downsizing)
- Supporting employees who become disabled during employment via risk assessments/Access to Work and making reasonable adjustments.

6.6 Partnership Working

The Council has clear expectations in relation to the promotion of Equality of opportunity and the completion of impact assessments in relation to its contractual relationships

The Council has an Equality in Procurement Guide to ensure that services are procured and partnership arrangements are carried out in an equitable way, consistent with the equal opportunities framework of the Council.

7.0 Assessing Policies and Functions

The Council has committed to a programme of assessing its policies and functions (activities) for their relevance to the race equality duty. This has been extended to the assessment of policies and functions in relation to the disability duty and the process will run parallel with that which is already in place for race. When assessing policies and functions managers will:

- List their policies and functions
- Identify those from the list which have relevance to the general duty
- Prioritise over a three-year period which policies and functions they intend to review and when:
 - High Priority Year One
 - Medium Priority Year Two
 - Low relevance Year three
- Develop actions to review the policies and functions to ensure that they are not resulting in discrimination, harassment, unequal opportunities or poor community relations
- Revisit the process when ever a new policy or function is introduced

Appendix A shows the Council services and the relevant Team. Each Function has been assessed according to the relevance to disability equality consideration.

8. Publishing results of consultations, assessment and monitoring

- 8.1 The Scheme will be made available in printed form and other formats on request
- 8.2 The Council will make publicly available the outcome of any equality impact assessments, consultation and monitoring it undertakes
- 8.3 The public will be informed about the availability of this information through:
 - The staff newsletter
 - Team Brief
 - Council Website

- Publicity and Public notices

9. Ensuring public access to information and services

- 9.1 The Council wants to ensure that everyone has access to information as and when they need it. Our Communications Strategy sets out the Council's commitment to communication with all members of the community, employees, members and partners.
- 8.2 The Council will provide information in printed form and via the Council website. On request, the Council will provide translations into minority ethnic languages, large print, or on tape. The Council is currently reviewing other formats in which we can communicate with all members of the community.

10. Monitoring

- 10.1 The Council seeks to have a diverse workforce representative of the diverse community it serves. Currently the Council captures and monitors its workforce by disability on an annual basis and produces workforce profiling data annually.
- 10.2 The Council also monitors the following :
- Access to Training
 - Employees leaving the Council
 - Job Applicants
 - Short listed applicants
 - Appointed Applicants
 - Use of Performance Management Process i.e. Disciplinary, Capability and Absence Management.
 - Dismissals

11. Complaints Procedure

- 11.1 The Council has established methods of allowing individuals to complain:
- The Council's Grievance Procedure (for employees of the Authority)
 - The Council's Complaints Procedure
 - Recruitment and Selection Complaints Procedure
 - Bullying, Harassment, Discrimination and Victimisation Procedure

12. Review

- 12.1 The Council recognises that priorities change and this may affect the urgency of reviewing some functions. The Action Plan timetable will be reviewed annually in light of new policies, revised legislation, experience and evidence of unfair or potential for unfair discrimination becoming apparent where it is not identified initially.

Appendix A
DISABILITY EQUALITY SCHEME

Assessment of Functions' relevance to Disability

Function	Relevance to the Scheme (Priority)
ENVIRONMENTAL HEALTH Enforcement Policy Quality Policy Staff Development Strategy appertaining to EH Environmental Strategy Air Quality Strategy Contaminated Land Strategy Water Strategy Noise Strategy Food and Health Strategy Sampling Policy Workplace and Health Strategy Smoke free Rossendale Strategy Home and Health Strategy Energy Efficiency Strategy	High Low High High High Low Low Low High Low High Low High High
STRATEGIC HOUSING Housing Strategy Private Sector Renewal Strategy Affordable Housing Strategy Affordable Warmth Strategy Empty Homes Strategy Homelessness Strategy BME Housing Strategy Supported Housing Strategy Disabled Facilities Grant Equity Release Scheme Homelessness Service	Medium Medium Medium Low Medium High High High Medium Medium High
COMMUNITY AND PARTNERSHIPS Grants To Outside bodies Community Strategy delivery Plan Strategic Approach to Leisure Community Involvement and Engagement Strategy	High High Medium High

<p>HUMAN RESOURCES</p> <p>Disability Policy Bullying and Harassment Policy and Procedure Disciplinary Policy Flexi-time Scheme Policy Organisational development Policy and Function Redeployment Agreement Drugs and Alcohol at Work Voluntary Redundancy Agreement Recruitment and Selection Policy Supervision Policy Lone Working Policy Risk Assessment Policy Sickness Absence Policy Capability Procedures Grievance Procedures Equal Opportunities Policy Exit Interview Procedure Criminal Records Clearance Procedure Probation Arrangements Booking of annual leave/flexi leave/special leave Performance Mgt PDR Payroll Processing Employee Related performance Management HR Strategy Health and Safety</p>	<p>High High Medium High High Low Low Low High Medium Low Low Medium Medium Medium Medium High Medium Medium Medium Medium High Medium Low Medium High Low</p>
<p>LEGAL AND DEMOCRATIC SERVICES INCLUDES PROPERTY SERVICES AND LICENSING</p> <p>Licensing Policy Regulation of Investigatory Powers Act Policy Freedom of Information Act Policy Money Laundering Policy Asbestos Policy Legionella Policy Retention and destruction Policy</p>	<p>High High High High High High High High High</p>

FINANCE	
Medium Term Financial Plan	High
Annual Revenue Budget and Council Tax	High
Annual Capital Programme	High
Risk Management Policy	Low
Procurement Policy	Medium
Capital Strategy and Asset Management Plan	High
Accounting	Low
Banking/Exchequer	Low
Insurance/Risk management	Low
Internal Audit	Low

To decide how relevant a particular service is to the Equalities study, the following questions should be asked:

- 1) What is the purpose of the function? Who is it intended to benefit? How will they benefit?
 - 2) Is there public concern (especially amongst black and minority ethnic communities) that certain functions or policies are discriminatory or racist or potentially disadvantage people?
 - 3) How much evidence do you have – none, a little, some, or a lot (for example from research, consultation, complaints or ethnic monitoring) of this?
 - 4) Are there areas where there could be a direct or indirect unequal impact on different groups? Consider whether any unequal effect amounts to adverse impact on certain groups or unlawful discrimination.
 - 5) Is the function likely to be the subject of complaints and grievances under the provisions of the act?
 - 6) How does this function affect different groups in the community we serve?
 - 7) Which of the three parts of the general duty – eliminating discrimination, promoting equality of opportunity, and promoting good relations – is relevant to this function?
- Is there any reason to believe that people from minority groups are being, or could be, adversely affected by this function? Which groups do this function affect?