DARLINGTON BOROUGH COUNCIL

Disability Equality Scheme

2006-2009

اگر آپ کو یہ کتابچہ انگریزی کے علاوہ کسی دوسری زبان میں درکار ہو تو براۓ مہربانی ٹیلیفون نمبر 388017 01325 پر فون کر کے حوالہ نمبر بتائیں۔

ਜੇ ਇਹ ਪਰਚਾ ਤੁਹਾਨੂੰ ਅੰਗਰੇਜ਼ੀ ਤੋਂ ਬਿਨਾਂ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਨੂੰ ਨੰਬਰ 388017 01325 'ਤੇ ਫ਼ੋਨ ਕਰੋ ਅਤੇ ਰੈਫ਼ਰੈਂਸ (ਹਵਾਲਾ) ਨੰਬਰ ਦੱਸੋ।

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An important part of the Council's Corporate Equalities Plan

This document is available on request in alternative formats

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Foreword

The Disability Discrimination Act 2005 introduced a new duty on local authorities to promote disability equality. At the heart of the specific duties under the Act is a requirement to produce and publish a Disability Equality Scheme.

At the Council we welcomed this as a helpful way of underlining the commitments to disabled people that we made last year in "All Together Now: A Social Inclusion Strategy for Darlington".

Disabled local people and Council staff have not just been consulted about the development of this scheme. They have led it. The Council owes a debt of gratitude to the chair of the Scheme steering group, Gordon Pybus, of Darlington Association on Disability, and all the members of the group who have worked together on an honest appraisal of the Council's disability equality performance. In doing this they have been supported by the Council's Social Inclusion Implementation Group, whose job it is to carry the Council's commitment to equality through to the front line of service delivery. Together they have produced a Scheme that is plain to understand and clearly committed to action.

In the delivery of this Scheme we look forward to continuing and developing a dialogue between Darlington Borough Council and the disabled people who live and work here. I see our Disability Equality Scheme as an important tool to help us eliminate discrimination and disadvantage in Darlington.

Councillor John Williams,

Leader of the Council

1. Executive Summary

1.1. Why does the Council need a Disability Equality Scheme (DES)?

1.2. The Disability Discrimination Act 2005 places a general legal duty on public bodies like Darlington Borough Council to do a number of things with respect to disability equality:

i promote equality of opportunity
ii eliminate unlawful discrimination
iii eliminate disability-related harassment
iv promote positive attitudes towards disabled people
v encourage disabled people's participation in public life
vi take steps to take account of disabled people's disabilities, even where that involves more favourable treatment.

1.3. At the heart of the specific duties within the Act is a requirement for public bodies to produce a DES and to involve disabled people in its development. The DES will articulate a holistic approach to disability equality and will help the Council to respond to both the Disability Discrimination Act 1995 and the DDA 2005.

1.4. The Scheme will tackle discrimination in a practical way by making sure that the Council actively promotes opportunities for disabled people and makes real positive changes for its employees and service users to prevent discrimination taking place. It has been developed in partnership with disabled people and Darlington Association on Disability (DAD).

1.5. **The Social Model of Disability**

1.6. The Social Model of Disability underpins the DDA 2005 and has been used by the steering group as the platform on which to build the Scheme. It is built on a simple concept. Disability is not caused by a person's impairment of physical, mental or sensory functioning but by the barriers resulting from an inappropriate physical environment and negative social attitudes.

1.7. **Disabled People in Darlington**

1.8. The Scheme uses the definition of a disabled person that is contained in the DDA 1995 and extended by the DDA 2005. A disabled person is one who has "a physical or mental

impairment that has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities". The definition now includes people with conditions like cancer, HIV and multiple sclerosis from the point of diagnosis rather than the point at which the condition begins to have an adverse effect on the person.

1.9.   According to census data there is in Darlington a slightly higher than average percentage of people who stated they had a long term illness, health problem or disability (this includes mental, physical and sensory impairment) which limited their daily activities or work (20.4%, compared to a national average of 18.2%).

1.10.   Active involvement of disabled people has been central to the development of the Scheme and will be essential in identifying the barriers faced by disabled people and helping the Council to set priorities in the future.

1.11.   **Disability Equality Impact Assessment**

1.12.   The objectives of a disability impact assessment are:

i   To identify if a policy or action can be done in such a way that it will have a positive impact on disabled people.
ii   To identify if there is any impact on disabled people as a result of the policy or action.
iii   To eliminate or reduce any negative impact on disabled people.
iv   To promote areas of existing good practice in disability equality.

1.13.   It's important to remember that a major impact on a small number of people can be more important than a lesser impact on a larger number. This should always be considered during the prioritisation of actions.

1.14.   All Council actions should reflect the thinking behind the impact assessment process from large corporate policies to the actions of an individual member of staff.

1.15.   The Scheme describes four stages:

i   Trigger
ii   Screening

iii   Assessment

iv   Action

1.16. **Action Plan**

1.17. There is a three year action plan. This shows what will be done, why it is being done, when it will be done, who will do it and how much it will cost.

1.18. **Last Word**

1.19. The last word is given to some disabled people who were involved in the development of the Scheme. They put forward different views about life as a disabled person in Darlington.

2. Introduction to Darlington Borough Council

2.1.   Just under 100,000 people live in 46,000 households in Darlington. It is a compact borough, 15% of which is occupied by the main urban area. Darlington's size has become one of its key strengths: it lends itself to a focused administration and enjoys productive partnership arrangements.

2.2.   The Labour controlled Council has 53 elected members representing 20 urban and 4 rural wards. It operates a leader and cabinet model of governance. The current revenue budget is £112m with an additional capital programme of £24m. The Council provides the full range of local government services, employing just over 4,700 staff working in four departments. The Audit Commission rates the Council as "four stars" (the highest rating).

2.3.   The Council's commitment to equalities is articulated in its Corporate Equalities Review and Plan, which includes its second Race Equality Scheme. The review and plan demonstrates the Council's attainment of level three of the five level Equality Standard for Local Government. This Disability Equality Scheme is published as an addendum to the Corporate Equalities Review and Plan. "All together Now: A Social Inclusion Strategy for Darlington" articulates the Council and other Darlington partners' broader commitments to the social inclusion agenda.

3. Why does the Council need a Disability Equality Scheme (DES)?

3.1.   The Disability Discrimination Act 2005 places a general legal duty on public bodies like Darlington Borough Council to do a number of things with respect to disability equality:

   i   promote equality of opportunity
   ii   eliminate unlawful discrimination
   iii   eliminate disability-related harassment
   iv   promote positive attitudes towards disabled people
   v   encourage disabled people's participation in public life
   vi   take steps to take account of disabled people's disabilities, even where that involves more favourable treatment.

3.2.   At the heart of the specific duties within the Act is a requirement for public bodies to produce a DES and to involve disabled people in its development. The DES will articulate a holistic approach to disability equality and will help the Council to respond to both the Disability Discrimination Act 1995 and the DDA 2005. The Scheme will also help the Council to deal with the expanded scope of Part 3 of the Act, (Goods, Services and Facilities) that now includes the functions of public authorities. Before the DDA 2005 the Act did not apply to certain functions carried out by public authorities if these functions did not constitute the provision of a service to the public.

3.3.   The Council *needs* to publish a DES to comply with the law. But it *wants* to develop a Scheme in order to take forward its wider commitment to equalities issues. This commitment is reflected in the "Promoting Inclusive Communities" theme of Darlington's Community Strategy. The principles enshrined in the Council's approach to equalities and social inclusion, which it has published in "All Together Now: A Social Inclusion Strategy for Darlington" are consistent with the Act. All of these principles contribute to the Council's single overarching aim in this area of work:

   i   To improve the life chances of those who are experiencing, and those who are at risk of experiencing, discrimination and disadvantage.

3.4.   This Scheme will help to do that for disabled people.

4. The Social Model of Disability

4.1. This is the model that underpins both the DDA 2005 and DAD's work. The model has been used by the DES steering group as the platform on which to build the Scheme. It is built on a simple concept.

4.2. Disability is not caused by a person's impairment of physical, mental or sensory functioning but by a lack of access to the things that person needs to be able to enjoy the same opportunities as others. These things may be:

   i   information,
   ii   equipment,
   iii services,
   iv   accommodation,
   v   employment opportunities,
   vi   educational opportunities.

4.3. The Social Model of Disability sees a disabled person's medical condition as only part of the issue. It argues that most of the day-to-day problems that disabled people face are caused by the fact that society is designed and organised to meet the needs of non-disabled people. The result is that disabled people are unnecessarily disadvantaged. This may be due to:

   i   an environment that has not been designed with their needs in mind (e.g. steps, poor lighting, inappropriate signage etc.).
   ii   transport that is inaccessible (e.g. trains with no space for wheelchairs, buses with timetables that are inaccessible to visually impaired people).
   iii discriminatory attitudes within the worlds of employment and education (where non-disabled people may assume that, for example, learning disabled people "can't understand and can't do it").

4.4. The Social Model stands in contrast to the Medical Model. The key difference between the two is that in the Medical Model, the disabled person (not the society in which they live) is seen as the problem. This model views the body as defective or sick and in need of a cure. Success in finding "treatment" for an impairment or rehabilitating someone is measured by how close they can come to being "normal". It may be seen as better, or

more "normal" for a person to be able to stand and walk slowly and with difficulty than to get around more quickly and comfortably using a wheelchair. If the medical professional cannot "treat" or "cure" the disabled person they may become the grateful recipient of charity.

4.5.   These summaries of the contrasting models raise many questions about long-term illness, the definition of disability and the differences and similarities between the two. It is important to remember both that many disabled people are in good health and that it is possible to have a serious and long-term illness without showing any outward signs of an impairment.

5. What do we mean by "disabled people"?

5.1.   The DDA 2005 is based on the definition of a disabled person that is contained in the DDA 1995. Here it states that a disabled person is one who has "a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities". The 2005 Act extended this definition by:

i   ending the requirement that a mental illness must be "clinically well recognised" before it can be counted as an impairment.

ii   allowing conditions like cancer, HIV and multiple sclerosis to be covered by the DDA from the point of diagnosis rather than the point at which the condition begins to have an adverse effect on the person's ability to carry out normal day-to-day activities.

5.2.   Thus, in the eyes of the law, disabled people include those with a wide range of disabilities and health conditions: including sensory impairments, arthritis, heart disease, dyslexia, depression and Downs Syndrome, to name only a few.

5.3.   There are over ten million disabled people in Britain. Almost half of these are over state pension age and 700,000 are children. One in five people of working age are disabled. In 2003/4 the annual spending power of disabled people in Britain was around £80 billion (Disability Rights Commission website).

5.4.   **What issues do disabled people face in a national context?**

5.5.   **A Place to Live**

5.6.   Being able to live with dignity and independence is a key issue for disabled people. Since 1997 there has been a 20% increase in admissions to residential and nursing care for people with learning disabilities and a 40% increase for people with mental health problems.

5.7.   An inquiry in 2003 found that more than 8,000 young adults are living in care homes designed primarily for a different client group – usually older people.

5.8. **Work**

5.9. MORI research on behalf of the Disability Rights Commission reveals some stark statistics:

    i   One million disabled people without a job want to work.

    ii   Only 17% of people with learning disabilities are in paid work.

    iii   38% of workers in companies of fewer than 25 staff felt it unlikely that they would keep their job if they became disabled people.

    iv   Three out of five employers readily admit that they would not employ someone with a history of mental illness.

5.10. **Transport**

5.11. 70% of buses and 40% of the rail network are not fully accessible to disabled people.

5.12. 60% of disabled people have no car in the household, compared with 27% of the general population.

6. Disabled People in Darlington

6.1.　According to 2001 census data there is in Darlington a slightly higher than average percentage of people who stated they had a long term illness, health problem or disability (this includes mental, physical and sensory impairment) which limited their daily activities or work (20.4%, compared to a national average of 18.2%).

6.2.　Darlington Association on Disability is a registered charity. It "is an organisation led by disabled people that exists to promote independence and choice." (DAD website). It supports local disabled people and carers by providing support, information and direct services. DAD works to tackle specific issues affecting local people in Darlington and voices the concerns of disabled people at a regional and national level. DAD members, staff and trustees have been lead partners in the development of this Scheme. They are also instrumental in developing an understanding of the social model of disability among service providers in Darlington.

6.3.　**Disabled Councillors**

6.4.　As the Council's proponent for all issues relating to social inclusion, the Leader of the Council leads the disability equality agenda as part of this remit. Around a tenth of Darlington councillors are disabled.

6.5.　As it is required to do by law, the Council has undertaken a range of "reasonable adjustments" to facilitate full access by disabled councillors to Council business. Adjustments made in the past include: publishing information in the user's preferred format, arranging grant aid to provide bespoke equipment, installation of induction loop system in committee rooms, and changing the location of accessible car parking bays at the Town Hall.

6.6.　Getting more disabled people involved in public life is something with which Darlington's eleven Community Partnerships have already had some success, where a number of disabled volunteers are involved. Developing better awareness among disabled people of how the Council is able to work with them to facilitate their involvement in public life is something that the

Council wishes to improve in the future.

6.7.   **Disabled Employees**

6.8.   1.53% of Council employees declared that they had a disability meeting the DDA definition as at the end of June 2006

6.9.   As with all employment issues, employees are encouraged to discuss any issues relating to their disability that may impact on their work with their line manager in the first instance. Further advice for managers and employees is available from Departmental Human Resources (HR) Managers.

6.10.   The Council already undertakes a significant amount of action to recruit and retain disabled staff. We are an accredited Disability Symbol organisation and actively work to our positive action strategy, which lists the action that the Council takes in these areas. This is attached at Appendix 2.

7. What has the Council done to improve disability equality?

7.1. The Council is not tackling the disability equality agenda from a standing start. The DES builds on a number of achievements in recent years:

i   During the late '80s and early '90s the Council helped to establish one of the first Shopmobility schemes in the country and helped to establish and promote Darlington Association on Disability.

ii   The Council has been proud to establish Extra Care Sheltered Housing schemes at Dalkeith House and Oban Court. They provide help and support for older disabled people.

iii   Social Services commissioned Advocacy Together in November 05 to make sure that people with a disability are able to have their voices heard.

iv   The Council takes a proactive approach towards improving equality for carers via the Carers' Strategy Steering Group.

v   There was a successful conference on young carers earlier this year and a promotional campaign aimed at helping people who haven't identified themselves as carers to access support services.

vi   A contract has been awarded to Banks of the Wear and MIND to provide a user involvement service to people who use Adult Social Services.

vii   Disabled people and carers helped to write "All Together Now: A Social Inclusion Strategy for Darlington". They were identified in the strategy as a priority group and have experienced benefits as a result of implementation of the action plan, including improved access to services.

viii   Joint funding between the Lottery North East and Children's services have created a Hearing Impairment Group for children with Downs Syndrome.

ix   The Visual Impairment Team at Vane House have extended the Sensory Solutions Course enabling people with sight loss to become familiar with services and equipment available to them.

x   The percentage of Council buildings open to the public in which all public areas are suitable for and accessible to disable people has increased to 86%. This figure stands comparison with the best performing Councils, nationally. Particular work was done with the Access Interest Group to improve physical access to Central Library.

xi Promoting Inclusive Communities is one of Darlington Partnership's top three priorities. The Council can prove how its general equalities performance is improving as a result of this priority.

xii Darlington Association in Disability has worked with Leisure and Arts staff to help deliver improved access to leisure opportunities for disabled people at the Dolphin Centre and Arts Centre.

xiii Disabled people are supported by a direct payments service commissioned by Adult Social Services. This service is led by disabled people. The number of people receiving these payments continues to increase.

xiv More people are now successfully requesting the Council's public information in different formats.

xv A Council training programme on the social model of disability continues to be rolled out.

xvi Wheelchair access to schools is above target and improving.

xvii 20 Darlington schools have now achieved the Darlington Inclusion Award. The award recognises positive inclusive practices and a commitment to ensuring both social and academic equality of opportunity for all pupils.

xviii The Disabled Children's Trust, set up in partnership with the PCT has influenced the delivery of services for disabled children and their families.

xix The Council has strong links with DAD in respect of Planning, Building Control and town centre improvement.

8. Involving disabled people in the development of the Scheme

8.1. At the start of the process that led to the development of the Scheme, the Council realised that the active involvement and empowerment of local disabled people would be central to the Scheme's success. Discussions with DAD about how to facilitate this started whilst the new disability legislation was still at a draft stage. Empowerment of the widest range of disabled people was agreed as an objective from the outset. An informal job description/person specification was agreed between the Council and DAD, and members of a DES steering group were actively sought. Information was conveyed to potential members in accessible formats. These included electronic formats for those who use screenreader software to access information and concise, "face to face", verbal explanations for people with a learning disability. Council and DAD databases were accessed to identify possible members.

8.2. It was agreed that only those Darlington residents or Council employees with experience of being a disabled person or carer should be full members of the group. Importantly, Council employees would attend the group in work time and non-employees would be offered a fee on top of any additional costs that their attendance incurred. An arrangement to cover any further access costs (the support of a personal assistant, BSL signers, lipspeakers) was also put in place. Gordon Pybus (DAD Chair, not a Council employee) was nominated and supported to become the chair of the group. Other "non-voting" advisors would be involved as appropriate. One of these, David Plews (Policy Advisor – Social Inclusion, Darlington BC) was the vice-chair. The group worked according to the principles of the social model of disability.

8.3. The group met fortnightly between August and October to:

i Develop a common understanding of disability equality and refine its remit;
ii Challenge the Council's approach to equalities impact assessment;
iii Scrutinise the Council's approach to disability equality issues;
iv Suggest improvements to the Council's approach;
v Suggest ways of engaging disabled people in the development and subsequent monitoring of the scheme;

>
> vi Draft the Council's first DES for initial consideration by the Council's Corporate Management Team.

8.4. As well as being involved in this steering group, disabled people also led the activity of various sub-groups. Each tackled a different issue:

>
> i   Launch event for DES,
> ii Disability equality impact assessments,
> iii Employment and elected member issues.

8.5. DAD also talked to disabled people about how they prefer to be consulted and involved with decisions that affect them. The results of this consultation will be fed into the development of the Council's forthcoming Community Engagement Strategy.

8.6. The DES steering group is looking forward to its involvement in the monitoring of the Scheme over the coming three year period. It will meet in December 06 to agree a system of annual reporting and agree its specific role in relation to the ongoing monitoring of the Scheme.

9. Disability Equality Impact Assessment

9.1. **Rationale**

9.2. The objectives of disability impact assessment are:

    i   To identify if a policy or action can be done in such a way that it will have a positive impact on disabled people.

    ii   To eliminate or reduce any negative impact on disabled people.

    iii   To identify if there is any impact on disabled people as a result of the policy or action.

    iv   To promote areas of existing good practice in disability equality.

9.3. The impact assessment is a driver for all aspects of Council business. It requires all Council staff to ensure that their actions and policies are delivered with disability equality in mind. Disabled people are the experts on their impairments and how the Council's policies and actions affect them. Therefore, the following process will only work effectively with the involvement of disabled people.

9.4. Completion of the assessment should identify two things:

    i   The nature and extent of the effect of the policy or action on disabled people.

    ii   Recommendations for Council action.

9.5. A major effect on a small number of people is as important as a lesser effect on a larger number. This should always be considered during the prioritisation of actions. The assessment should also consider the needs of frail, older people who may experience a number of different impairments.

9.6. **Process**

9.7. All Council actions should reflect the thinking behind this process: from large corporate policies to the day-to-day actions of an individual.

9.8. There are four stages:

    i   Trigger

    ii   Screening

       iii   Assessment
       iv   Action

9.9.   A trigger will bring about a screening process. This will inform the type of assessment, which in turn will identify a range of realistic actions for the Council. There will be clear accountability at all stages.

9.10.   **Step 1: Triggers**

9.11.   The impact assessment process can be triggered by a number of things:

       i   The review or development of a policy
       ii   The review or development of a service plan
       iii   The instigation of a new action
       iv   An impact alert.

9.12.   An impact alert may come from any source. It may, for example, occur as the result of a health and safety assessment, a change of legislation or local circumstances or a complaint, compliment, comment or suggestion. Vexatious use of impact alerts by members of the public will be dealt with in the same way as repeated, vexatious complainants.

9.13.   **Step 2: Screening**

9.14.   The impact assessment process starts by screening policies or actions to determine:

       i   Good practices
       ii   The likelihood of disadvantage or exclusion (whether this is intended or not)
       iii   The likelihood of specific risk (whether this is intended or not)
       iv   The type of involvement.

9.15.   The person responsible for the policy or action answers questions in order to decide how to carry out an impact assessment on the policy or action. The questions cover the following areas:

       i   Policy or action outcomes
       ii   Outcome drivers
       iii   Target population

      iv   Physical environment

      v   Service design

9.16. The output of the screening process shows the type of assessment that is required by the person responsible for the policy or action in question. The next step is to undertake the correct type of assessment.

9.17. **Step 3: Assessment**

9.18. All assessments are of equal importance to the quality of life of disabled people. The assessment should lead to an improvement. They differ only in who should be involved in the assessment process. There are three possible types of involvement.

9.19. **Type 1 (wide involvement)**

9.20. A type 1 assessment is used when the policy or action affects a wide population of disabled people with a variety of impairments. Involvement should come from: individual disabled people, groups and organisations as well as other stakeholders (both inside and outside the Council), including those with disability expertise. This wide involvement will include disabled people with a variety of impairments.

9.21. **Type 2 (focused involvement)**

9.22. A type 2 assessment is used when the policy or action would only be of interest to a particular section of disabled people. This could be: particular users of a service or facility, employees within a department or people with specific impairments. Involvement should come from: the relevant individual disabled people, groups and organisations as well as other stakeholders (both inside and outside the Council), including those with disability expertise.

9.23. **Type 3 (basic involvement)**

9.24. A type 3 assessment is used when the outcome of the screening process shows that there is no likelihood of an impact (either positive or negative) on any disabled people. The assessment will check that nothing has been overlooked and verify that types 1 or 2 are not required. Involvement here should comprise the person responsible for the policy or action and a source of

relevant disability expertise.

9.25. **Step 3a: Assembling Resources for an Assessment**
The resources required will include:

i   People to be involved in the assessment, including an identified lead officer.
ii   Time dedicated to undertaking a thorough assessment according to the type of assessment required.
iii   Finance – enough resources should be provided so that disabled people can be meaningfully involved.
iv   Background information – this should be drawn from a range of sources. The best assessments will be based on comprehensive data.

9.26. **Step 3b: Undertake an impact involvement session, involving people as identified through the screening process**

9.27. The person responsible for the policy or action should lead the work through the involvement session template at appendix 3. This template is an adaptation of what the Council currently uses to carry out impact assessment. This is only applicable to type 1 and 2 assessments. The approach to type 3 (basic) will be less formal, although a record of involvement must still be made.

9.28. **Step 3c: Consider the results of the involvement session and identify options for action.**

9.29. This step is designed to help assessment leaders judge the nature and relevance of any identified impacts. This is essential for identifying appropriate options for action.

i   To what extent does the policy or action result in a positive or negative impact for disabled people?
ii   To what extent does the policy or action affect different people with different impairments differently?
iii   Is there evidence of unlawful discrimination? In which case, the policy or action will have to be changed.
iv   Is the likely impact of the policy or action consistent with the aim of All Together Now: A Social Inclusion Strategy for Darlington: "to take action to improve the life chances of those who are experiencing, or at risk of experiencing, discrimination or disadvantage." These communities include

carers, people from minority ethnic communities, people who are unemployed or receiving a low income.

v   Is the policy or action intended to increase equality of opportunity for disabled people? Is this effect lawful? (It is permitted under the DDA 2005 to treat disabled people more favourably.)

9.30.   Options for action will be developed as a result of the consideration of the above questions. Options should:

i   Tackle any negative impacts
ii   Reduce the differential of negative impacts between different disabled people.
iii   Remove unlawful discrimination.
iv   Be consistent with the Social Inclusion Strategy.
v   Promote equality of opportunity for disabled people.

9.31.   **Step 3d: Reflect on the evidence and challenge the options**

9.32.   This process will ensure that the policy or action will fulfil the Council's duties under the DDA 2005. It may lead to a modification of the options.

9.33.   The person leading the assessment will need to be clear about the evidence on which their recommendations are based. This evidence will need to be stored in case of a future challenge to the assessment process. The evidence should be of a standard to withstand legal challenge (further legal advice may be necessary here).

9.34.   **Step 3e: Consider if the assessment type needs to be changed.**

9.35.   The need to change the type of assessment could arise at any of the preceding stages. This step is a failsafe mechanism. If a change is needed then the person responsible for the assessment will re-start the process from step 2 (Screening).

9.36.   **Step 3f: Report impact assessment recommendations**

9.37.   The rationale for the recommendations should be of a standard to withstand legal challenge (further legal advice may be necessary here). It should:
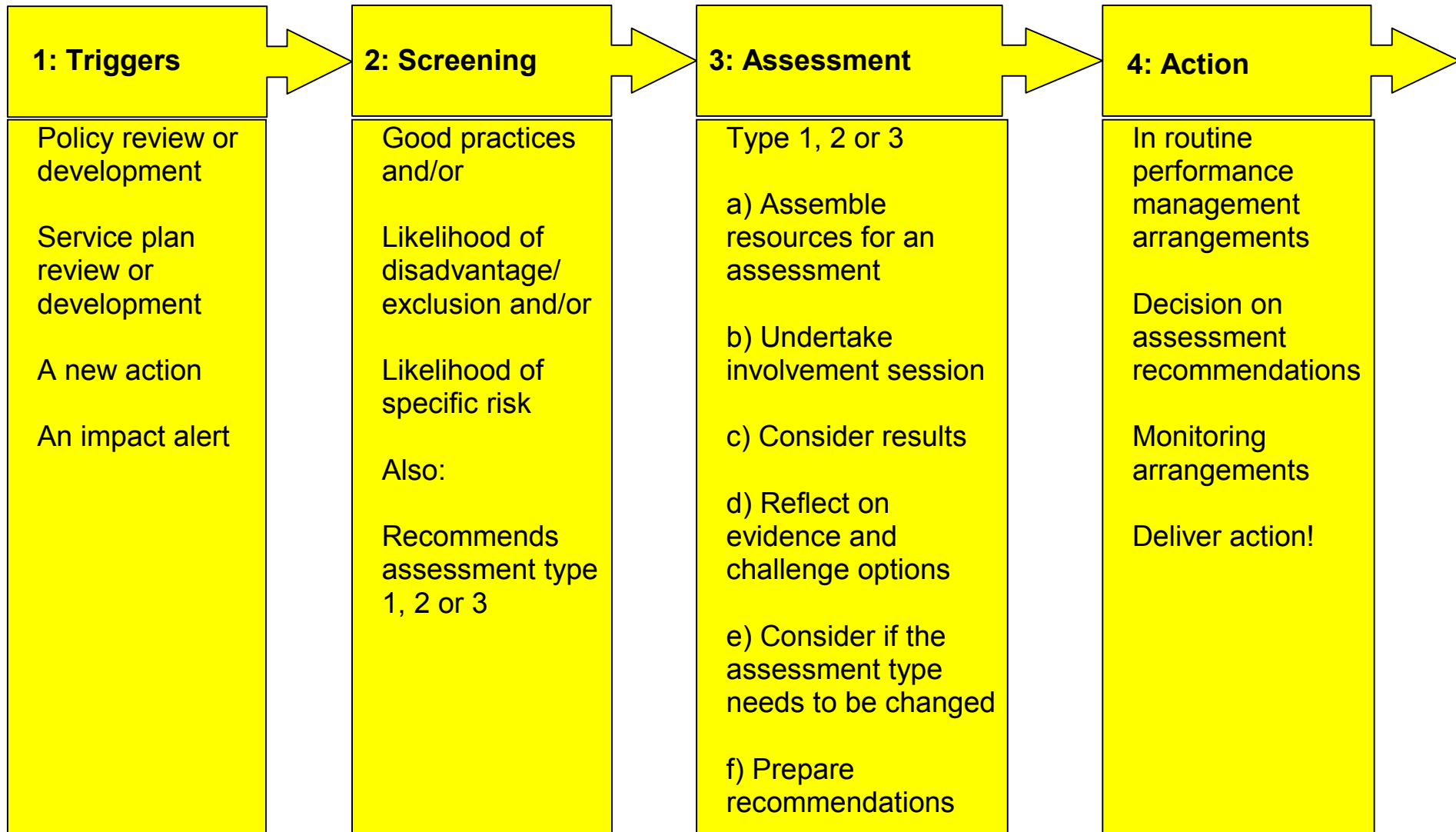
i   contain review proposals,

ii   explain how disabled people were involved in the assessment and will be in involved review,

iii   be proportionate,

iv   be relevant,

v   be time-bound.

9.38. **Step 4: Action the Recommendations**

9.39.   The decisions to implement recommended actions should give due weight to promote disability equality in proportion to its relevance. They should be taken at the most appropriate level within the Council. They may, for example, be considered through "one to one" planning between a member of staff and their manager or through the usual departmental, corporate and Council decision-making meetings.

9.40.   The continued involvement of the relevant disability expertise at this stage would be in the spirit of the DDA 2005.

9.41.   A failsafe mechanism for new policies and key decisions will operate. This means that the results of a disability equality impact assessment must be considered by the Council's Corporate Management Team (who have responsibility for the operational delivery of policy), Cabinet, Council or Scrutiny Committee before key decisions are made. Impact assessments on other actions will be monitored through normal performance management arrangements.

9.42.   The actions arising from disability equality impact assessments should be delivered in the most appropriate way within the context of existing performance management arrangements. They may, for example, be delivered through "one to one" planning between staff and manager or through existing corporate/service plans.

9.43.   The person responsible for the assessment should be aware that consequences of the actions arising from their impact assessment may trigger other impact alerts.

9.44.   The Council's overall performance on improving disability equality will be regularly monitored through normal performance management arrangements. This will ensure that responsibility for actions is allocated and embedded in mainstream Council business.

9.45. The decision-making process should be documented and available to view.

9.46. After the assessment process is complete, the next step is to deliver the agreed actions through mainstream performance management routes.

9.47. The diagram below shows how the impact assessment process is embedded in the Council's mainstream performance management processes.

Disability Duty is a part of Routine Performance Management

1: Triggers	2: Screening	3: Assessment	4: Action

Policy review or development	Good practices and/or	Type 1, 2 or 3	In routine performance management arrangements
Service plan review or development	Likelihood of disadvantage/ exclusion and/or	a) Assemble resources for an assessment	Decision on assessment recommendations
A new action	Likelihood of specific risk	b) Undertake involvement session	Monitoring arrangements
An impact alert	Also:	c) Consider results	Deliver action!
	Recommends assessment type 1, 2 or 3	d) Reflect on evidence and challenge options	
		e) Consider if the assessment type needs to be changed	
		f) Prepare recommendations	

Policy or action disability impact assessment record sheet

Policy or Action Title:			
Policy Action owner Name & Title:			Date:
Type of assessment	Type 1 ☐	Type 2 ☐	Type 3 ☐
Is this a policy or an action? Please state:			
What are the positive or negative effects that the policy or action will have on disabled people?			
What evidence supports this?			
Who was involved?			
What action will you take as a result of the impact assessment?			
How and when will this action be monitored?			

Please tick as many of the following as the policy or action will achieve.

Promote equality of opportunity	☐
Eliminate unlawful discrimination	☐
Eliminate disability-related harassment	☐
Promote positive attitudes towards disabled people	☐
Encourage participation by disabled people in public life	☐
Take steps to meet disabled people's needs	☐

This procedure may be refined to facilitate better control of the quality of the impact assessment. The aim is to make the assessment effective without being unnecessarily burdensome.

10. Action Plan

10.1. The following actions have been prioritised by the Disability Equality Scheme Steering Group. The main sources of evidence that were used to establish the actions were:

i   Council's history of attainment in relation to particular performance indicators;

ii   Direct feedback from disabled people who were involved in the production of the scheme;

iii   The outcomes of a comprehensive round of equalities impact assessments.

10.2. Action Plan: 2006-2009

Action	Why?	Resources	Who?	When?
Publish the DES on the Council's website and intranet and in a variety of other formats.	To meet the legal deadline for the publication of the DES.	Existing resources	Kathryn Plant	By December 4th 06
Commence new approach to disability equality impact assessment. Includes the development of a training module.	To help improve quality of life for disabled people and to ensure legal compliance.	Training will be required (from existing training/social inclusion budgets).	David Plews	December 06
Deliver training to staff and, where appropriate, elected members in the new approach to disability equality impact assessment	To ensure that there is a well-developed under-standing of the new approach.	Within existing resources.	David Plews/Inc-lusion Implement-ation Group/DES Steering Group	Initial training starts December 06

Action	Why?	Resources	Who?	When?
Revise the disability strand of the Positive Action Strategy to improve the recruitment and retention of disabled staff. Ensure that "Access to Work" initiatives are part of this strategy.	To better reflect in the workforce the community it serves.	Existing resources.	Maggie Swinden	December 06
Introduce and test a screening procedure for disability equality that can be applied to existing policies/ actions/ projects.	To ensure that the right policies/ actions/ projects are prioritised for impact assessment.	Existing resources.	David Plews	January 07
Examine the feasibility of establishing a disabled staff forum.	To ensure that the views of disabled staff are properly heard.	Resources to be identified within feasibility study.	Maggie Swinden	February 07
Undertake an options appraisal with regard to the provision of disability equality expertise to Darlington BC.	To supply ready access to expertise in order to facilitate better and fairer impact assessments and give expert leadership on disability equality.	Financial implications to be presented in the options.	David Plews	March 07

Action	Why?	Resources	Who?	When?
Research, write and prepare a paper defining the future role of the disability equality steering group and how it links to existing groups and scrutiny mechanisms. Examine how good practice here may inform the development of the Council's approach to other equalities strands.	To sustain good practice in equalities and help facilitate the Council's journey towards level 4 of the Equality Standard for Local Government.	Resources to be identified.	David Plews/ Gordon Pybus	March 07
Produce further formal managers' guidance for the main-streaming of actions arising from equalities impact assessments into service plans. This will supplement information already published in the DES.	To embed a performance management approach to equalities.	Within existing resources.	David Plews/ Inclusion Implement-ation Group	March 07

Action	Why?	Resources	Who?	When?
Introduce and test a new, proportionate and relevant corporate procedure for generic equalities impact assessment. This should be based on the disability model. Ensure that this becomes Council policy.	To ensure that new policies/ actions/ projects (or significant changes to existing ones) are properly assessed for the equalities impact that they are likely to have on the public and staff.	Existing resources.	David Plews	April 07
Articulate what the Council expects Darlington Partnership's role in impact assessments to be in the broader partnership arena.	To lead equalities performance improvement by example through our partnerships.	Existing resources.	David Plews/ Steve Rose (Darlington Partnership)	June 07
Deliver a programme of awareness raising sessions for staff and elected members.	To ensure that there is a well-developed under-standing of the Scheme.	Within existing resources.	David Plews/ Inclusion Implementat -ion Group/DES Steering Group	June 07

Action	Why?	Resources	Who?	When?
Revise Equalities in Procurement guidance for Managers to take into account broader equalities issues, including disability equality.	To consolidate level 3 of the Equality Standard for Local Government.	Existing resources.	Susan White/ David Plews	October 07
Review equalities impact of partnership toolkit to be adopted by Darlington BC and Darlington Partnership, paying particular attention to disability equality.	To ensure that equalities is built into mainstream auditing systems.	Existing resources.	Steve Rose	October 07
Equalities-proof the consultation arrangements for the Citizens' Panel and Community Survey.	To ensure that the views of disabled people are properly heard.	Within existing contract.	John Bosson	October 07
Examine feasibility of linking the impact assessment process to existing quality check/ audit systems.	To facilitate disability equality performance improvement.	Within existing resources.	David Plews/ Inclusion Implementat-ion Group/DES Steering Group	December 07

Action	Why?	Resources	Who?	When?
Monitor DES performance and produce annual reports.	To comply with the DDA 2005.	Within existing resources.	David Plews/ Inclusion Implementat -ion Group/DES Steering Group	December 07 December 08 December 09
Reduce the number of complaints about the Council from disabled people.	To demonstrate that Council services are better meeting the needs of all sections of the Darlington community	Existing resources.	Lynda Boszanko/ Andy Robinson	March 08
Review all existing service-based equalities impact assessments, using the new approach set out in the Disability Equality Scheme.	To ensure that baseline assessments are up-to-date.	Within existing resources.	David Plews/ Inclusion Implementat -ion Group	March 08
Offer assistance and support to those leading disability equality impact assessments	To facilitate disability equality performance improvement.	Within existing resources.	David Plews/ Inclusion Implementat -ion Group/DES Steering Group	Ongoing until December 08
Carry out random checks of disability equality impact assessments for new policies/ actions and suggest improvements where necessary.	To facilitate disability equality performance improvement.	Within existing resources.	DES Steering Group/ David Plews/ Inclusion Implementat -ion Group	December 07 to December 09

11. Gathering and Using Information

11.1. The Disability Rights Commission (The Disability Equality Duty: Guidance on Gathering and Analysing Evidence to Inform Action) is unequivocal about the role that the Social Model has to play in gathering and using information. "The Social Model should inform not only how the research or information gathering process is designed and analysed but the method of its production. This can be achieved by involving disabled people in designing mechanisms for gathering information ensuring that the information produced is transparent and easily accessible for disabled people."

11.2. There is a specific requirement within the DDA to gather evidence about disability equality. Without an evidence base, it will be impossible for the Council to demonstrate that it has given due regard to disability equality. Establishing a sound evidence base is also a necessity for conducting impact assessments and for reviewing the effectiveness of the DES action plan.

11.3. The Council is currently researching and devising its first Data Quality Strategy which will set standards for data collection and the use of information for performance management. Disability equality data will be subject to the same rigour as financial and performance data in this strategy. Advice on the use of this data, how to turn it into information and how to develop corporate knowledge from this information will be sought from disabled people. It is anticipated that this work will develop learning that can be shared across the organisation through the Council's emerging approach to corporate intelligence and will also link strongly to the Council's Community Engagement Strategy. This strategy will be published in March 07.

12. Monitoring and Evaluation

12.1. Internal monitoring and evaluation of the DES will be the responsibility of the Social Inclusion Implementation Group. This will be supplemented with external input from the DES steering group, which will have a central role in monitoring the DES action plan. To do this, it will need to formally change its role and remit at a meeting in December 2006. It is anticipated that the group will become a "disability equality reference body" for the Council. It will provide:

i   Challenge for disability equality impact assessment, including random quality checks;
ii   Analysis of action plans arising from impact assessments;
iii   Advice to officers who are leading impact assessments;
iv   An annual review of the Council's disability equality performance, which will be published on the Council's website and will also be available in a range of formats;
v   Guidance on the government's "single equalities" agenda.

12.2. The new reference body will also need to give consideration to the development of performance indicators for disability equality. The DES action plan suggests a number of these, eg: reduce the number of complaints about the Council from disabled people and increase the number of disability equality awareness sessions delivered for staff and elected members.

13. The Last Word

13.1. The final word goes to the disabled people who worked on the preparation of this scheme.

"As a disabled person with limited mobility, I tend to access only services and buildings where I can feel comfortable and be sure of a positive experience. I do feel that consideration is now being given to people with impairments and many new buildings and refurbishments in Darlington have been designed with us in mind."

"Hopefully, this scheme will put disabled people at the heart of any new Council initiative and will mean that I can be confident in a future where **every** service and building I access will be a positive experience."

- Tom Stebbings

"If you have a visual impairment there are worse places than Darlington to live. It is still built on a scale meant for people… and if you are open and explain the range of your impairment people tend to remember and either make allowances or actively try to make things easier."

"A major shortfall in Darlington at the moment is that when trying to report hazards there is often nowhere to contact that has any appreciation of how disabling hazards can be. You know the report is going to be treated as a minor inconvenience. There is never a feeling that ownership is admitted or that calls are ever looked at as a whole and strategies arrived at to address general issues."

- Andy Hart

"I hope this Scheme will help people to realise that delivering true equality of opportunity can sometimes require additional services to be offered as an alternative alongside a mainstream approach. This can be the case even where the 'mainstream' service is fully accessible. This example comes from the Disability Right's Commission's Code of Practice."

"Imagine that a leisure centre provides swimming sessions every week which are open only to disabled adults after discussions which highlighted a need for these. The sessions allow disabled people to learn to swim in what is, for some people, a more comfortable and confidence-building

environment. But the same people are also able to attend sessions aimed at the general public and support is provided to enable this where necessary. This way there is a choice of sessions to attend."

- Gordon Pybus

"Most people had a very limited understanding of how my dyslexia would affect me in the workplace but my manager was very positive. The Council met the costs of a good laptop that I could put all the software I needed onto, and the costs of Read and Write dictation software were met by Access to Work."

"I hope that this scheme and my involvement in it will have a positive effect on new starters, meaning that their specific needs are thought about before they arrive, so they know who to contact to get help and are able to gain support from other disabled employees. I would also like to see more people attend the disability training offered by DAD because understanding the Social Model of Disability has given me a new perspective I can use to make better decisions and question others."

- Amy Bladen

"I hope more consideration will be given to the needs of disabled people when meetings are held away from the Town Hall. Access should be considered as a 'norm' and not as an 'after thought'. For some meetings away from the Town Hall, I have been expected to climb three flights of stairs or use a goods lift – and after my last experience I sent my apologies rather than be humiliated again! For new elected members with disabilities, I would advise an early meeting with Democratic Services staff so that assistance can be planned from the outset."

- Cllr Copeland

Acknowledgements

Producing the Scheme would not have been possible without the input of the following people:

Rosemary Berks, DAD employee
Amy Bladen, Council employee
Cllr Veronica Copeland, Councillor
Andy Hart, disabled person & parent of service user
Bobby Lamb, Council employee
Colin Light, DAD trustee
Gordon Pybus (chair), Chair of DAD
Tom Stebbings, Chairman, MENCAP
Peter Tate, Council employee
Rosie Watson, DAD employee/volunteer

Supported by:

Margaret Bevan, DAD employee
Lorna Jones, DAD employee
David Plews, Council employee
Lauren Robinson, DAD employee
Mandy Sharp, Lip speaker
Shan Warren, Council employee

Disability Equality Impact Assessment Screening Process

The screening may also identify a mixture of positive and negative impact depending on circumstance and/or impairment. If this is identified there may be a need to change the assessment type. A questioning process should be completed to help understand whether a level one, two or three assessment is required.

When the screening process has been piloted it should be possible to refine it further in order that answers to the questions can be scored so that different assessment types can be indicated unequivocally.

a) Policy / Action Outcomes

Will the impact be felt across the borough or in particular localities?

Will the impact affect internal Council business?

Will there be an environmental impact?

Is the policy / action designed specifically for disabled people?

b) Outcome drivers

What standards apply to the policy or action

Are there legislative/ contractual considerations?

c) Target population

Will the policy or action affect the whole population?

Will the policy or action affect diverse subsets of the population?

Will the policy or action affect particular communities of identity or interest who may at greater risk of discrimination and disadvantage than others?

How will employees and elected members be affected?

d) Impact on physical environment of outcomes

Will there be an impact on pedestrian flow?

Will there be an impact on traffic flow

Will there be other physical developments that affect the landscape or streetscape?

Will the details of such developments affect different people in different ways? (e.g. street furniture, software applications)

What design standards and requirement have been considered?

Will there be an increased risk of injury to disabled people?

e) Access to service / policy outcomes

How are different modes of communication to be used?

Will there be different expectations on different service users (will some people have to take their refuse to their kerb-side whilst others receive assistance)?

Will the way that Council services are delivered look and feel different? Will these differences lead to different outcomes for different people?

Darlington Borough Council's Positive Action Strategy

To attract and retain employees with a disability

NO.	ACTION	BY WHOM	BY WHEN?	PROGRESS
1.0	**General**			
1.1	Research groups supporting disabled people in the DBC area	Policy & Strategy/ HRMD Recruitment & Selection team	Ongoing	Jobscene goes to Disability Employment Advisor at Job Centre Plus, Advance Employment, RNIB, Action for the Blind and a number of other equality organisations
2.0	**Recruitment & Selection**			
2.1	Visit groups supporting disabled people in the DBC area to promote employment with DBC	Recruitment & Selection team /Policy & Strategy	Ongoing	MS/JC already have quarterly mtgs with Advance and JC with Action for Blind. To extend mtgs to other main groups.
2.2	Establish which sections in the Council have access to groups who work with people with disabilities and work with them to promote employment with DBC	Recruitment & Selection team /Policy & Strategy	Ongoing	MS to ask for further information from Inclusion working group members
2.3	Attend events in DBC area promoting job opportunities for people with disabilities to promote employment with DBC	Recruitment & Selection team /Policy & Strategy	Ongoing	As opportunities arise

NO.	ACTION	BY WHOM	BY WHEN?	PROGRESS
2.4	Link into regional events promoting job opportunities in local government for people with disabilities	Recruitment & Selection/Policy & Strategy	Ongoing	As opportunities arise
2.5	Place articles in specialised press promoting employment opportunities with DBC for people with disabilities	Recruitment & Selection/Policy & Strategy	Ongoing	
2.6	Continue to include information on disabled applicants in recruitment and selection course for managers, with guest speakers from Jobcentre Plus/Advance Employment etc where possible	Recruitment & Selection/Policy & Strategy	Ongoing	Already included in each course (which runs approx. four times a year)
2.7	Continue to work with Advance employment and other organisations to support work placements/employment opportunities	Recruitment & Selection/Policy & Strategy	Ongoing	Meetings take place on a 6-monthly basis; provide work placements/tasters on request. Developing paperwork to facilitate this process
2.8	Continue to provide application forms in large print/Braille/on tape etc on request	Recruitment & Selection	Ongoing	Already available in these formats
2.9	Develop appropriate application form that people with special learning needs may use	Recruitment & Selection/Policy & Strategy	Dec 2006	Draft ready to look at

NO.	ACTION	BY WHOM	BY WHEN?	PROGRESS
2.10	Continue to interview all disabled applicants who meet the essential criteria on the person spec and to consider them on their abilities (Disability Symbol)	All DBC Managers	Ongoing	Already in place
2.11	Continue to allow applicants with special needs to bring someone to interview with them as a reasonable adjustment	All DBC managers	Ongoing	Already in place
2.12	Promote Jobcentre Plus services for disabled people to all managers (e.g. Access to Work; Job Introduction Scheme; Workstep)	Recruitment & Selection/Policy & Strategy	Ongoing	
2.13	Monitor recruitment and retention in relation to situation for people with disabilities (e.g. no. of applicants; no. of people shortlisted for interview; success at interview) and make the results available on a 6-monthly basis	Recruitment & Selection/Policy & Strategy	Ongoing	Already in place
2.14	Produce a feedback sheet for sample of disabled candidates involved in the R&S process	Recruitment & Selection	March 2006	Already in place
3.0	**Workforce**			

NO.	ACTION	BY WHOM	BY WHEN?	PROGRESS
3.1	Ensure that there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure the can develop and use their abilities (Disability Symbol)	All DBC managers	Ongoing	Via PDR process
3.2	Make every effort to retain employees when they become disabled (Disability Symbol)	All DBC managers	Ongoing	Already in place. Make adjustments suggested by Occupational Health; Redeployment Procedure.
3.3	Disability Awareness Training (Disability Symbol)	Workforce Development/All DBC managers	Ongoing	Disability Awareness training part of corporate training programme. Also included in equality and diversity training for employees and managers. Deaf awareness training also available
3.4	Each year, to review the five commitments of the Disability Symbol and what has been achieved, to plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans	Policy & Strategy HRM	Ongoing	Reviewed and re-recognised

NO.	ACTION	BY WHOM	BY WHEN?	PROGRESS
3.5	Monitor workforce in relation to disability (e.g. no. of employees; no. of grievances; B&H allegations; access to training; PDRs; no. retained following redeployment; leavers), analyse info on a 6-monthly basis and take appropriate action where necessary	All Departmental HR Managers/ Policy & Strategy HRM	Ongoing	Already in place.
3.6	Develop and monitor policies/procedures in relation to disability issues (e.g. Equality Policy; Employment of people with Disabilities; Anti-Harassment and Bullying Policy; Policy Statement of Recruitment & Selection; Disciplinary; Redeployment Procedure)	Policy & Strategy, HRM	Ongoing	Policies/procedures already developed.
3.7	Produce guidance for employees on working with people with disabilities	Policy & Strategy	March 2007	To be developed

Equalities Impact Assessment: Involvement Session Template

SERVICE:	Department:
Person Responsible for Assessment:	Date of assessment:

Brief description of service and to whom provided/available:

Introduction

The impact assessment looks at how a service is provided and how it promotes, monitors and consults in respect of equalities. Completion of the impact assessment will help us determine the extent to which services meet the requirements of the Equality Standard for Local Government, the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act 1995.

The attached questionnaire provides a structure for undertaking the impact assessment. Local information and examples should be provided wherever possible.

This is a generic document that will require interpretation in particular circumstances. If, after reading the guidance, you require further information on how to implement the assessment, please contact David Plews, Policy Advisor (Social Inclusion) on 01325 388023.

Q.1 Is your service accessible to everyone within the community? Bear in mind any economic, social, environmental, physical, intellectual, cultural, linguistic, technological or other barriers.

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Race (inc. culture and nationality)				
Religion or belief				
Gender (inc. transvestitism, transgender and Tran sexuality)				
Sexuality (inc. homosexuality and bisexuality)				
Impairment (inc. physical, sensory and/or mental impairment or learning disability)				
Age				
Geographical location				
Any other equality issue (e.g. people with dependants and/or caring responsibilities or people with a criminal record)				

Q.2　(a) For whatever reason, does your service treat any group differently from its other service users?

Yes

No

If you have answered 'yes', please specify those individuals or groups affected and whether the impact has the potential to be adverse.

(b) What needs to be done to prevent any potentially adverse impact?

Q.3　(a) Do you promote equality within your service? (e.g. through departmental equalities group, innovative marketing or community engagement techniques)

Yes

No

If you have answered 'yes', please give examples of how equality is promoted.

Q.4   Are there any plans in place within your Service to promote equality more effectively?

Yes

No

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If yes, please outline what you intend to do (including details, if known, of timescales and areas to be covered, etc.)

Q.5 In the past three years, have you consulted with any of the following groups regarding the delivery of and access to your service?

Group	Yes	No	If yes, please give evidence (Who? When? What were the outcomes)	**If no, what consultation do you plan to do and by when?**
Racial (inc. culture and nationality				
Religion or belief				
Gender (inc transvestitism, transgender and Tran sexuality)				
Sexuality (e.g. homosexuality and bisexuality)				
Impairment (e.g. physical, sensory and/or mental impairment or learning disability)				

Age			51	
Geographical location				
Any other status (e.g. people with dependants and/or caring responsibilities or people with a criminal record)				

Q.6 Do you train your staff on equality issues?

Yes

No

If you have answered yes: What training is available? Who delivers it? Who receives it?