

Annex 7

SOUTHWARK COUNCIL'S DISABILITY EQUALITY SCHEME

4 December 2006

Incorporating the requirement to assess functions, policies and proposed policies for relevance to the performance of the general statutory duty to promote disability equality under s49(A) of the Disability Discrimination Act 2005, and to publish a Disability Equality Scheme in accordance with the Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005, SI No. 2966, Sch.1

Introduction

Disabled people are an important part of our community and represent approximately 17 per cent of our residents (Southwark Council Residents' Survey 2006). Within the workforce of Southwark Council, 4.35 per cent of our staff members are disabled.

The Council's vision is to make Southwark a better place to live, work, learn and have fun, as a model of urban sustainable living.

This Disability Equality Scheme sets out how the Council intends to make these commitments real for disabled people. It forms part of the Council's generic equalities scheme, agreed in 2005, which sets out how we will review and adapt as necessary our policies, functions and services to promote equality, eliminate discrimination and encourage good relations between members of different groups.

The Scheme has been developed using the Disability Rights Commission's (DRC's) Statutory Code of Practice on the Disability Equality Duty. The requirements of the Disability Discrimination Act 2005 govern the contents of this Scheme and set the standard for all the commitments contained in this Scheme, if higher than the standard set for the generic equalities scheme.

Southwark Council's approach to equality and diversity

In October 2005, Southwark Council adopted a generic equalities scheme which covers the following areas:

- Age
- Disability
- Faith and belief
- Gender
- Race and ethnicity
- Sexual orientation

This Scheme was informed by extensive consultation with residents, service users, community groups and staff during its development. This consultation indicated a strong support for the generic approach that the Council has adopted. There was also a widely held view among respondents that Southwark Council should endeavour to create parity in opportunities and in outcomes across all groups in the borough.¹

A Disability Equality Scheme for Southwark Council

The Disability Discrimination Act 2005 placed a number of duties on public authorities.

The general duty to promote disability equality requires that every public authority shall in carrying out its functions have due regard to the need to:

- promote equality of opportunity for disabled people;
- eliminate discrimination against disabled people;
- eliminate harassment of disabled people that is related to their disabilities;
- promote positive attitudes towards disabled people;
- encourage disabled people to take part in public life; and
- take steps to take account of a disabled person's disabilities, even where that involves treating a disabled person more favourable than other people.

¹ A report on the consultation undertaken to inform the Scheme is at Annex 6.

The specific duty regulations require public authorities to produce and publish a Disability Equality scheme to implement certain aspects of the duty and to report on progress with this.

The Scheme should include a statement on each of the following:

- The way in which disabled people have been involved in the development of the Scheme;
- The authority's methods for impact assessment;
- Steps which the authority will take towards fulfilling its general duty (the 'action plan');
- The authority's arrangements for gathering information in relation to employment, and, where appropriate, its delivery of education and its functions; and
- The authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes.

To ensure that Southwark Council is meeting the requirements of this duty and to strengthen our efforts to create parity of access and opportunity for disabled people in Southwark, we have developed this Disability Equality Scheme. This forms part of the Council's generic equalities scheme.

A public authority must, within three years of the Scheme being published, take the steps set out in its action plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and making use of information.

A note on the scope of the duty in relation to public authorities, partnerships, contracted services and procurement

A 'public authority' includes a person whose functions are functions of a public nature.

If a partnership with a public authority (such as Young Southwark) does not have a separate legal identity in its own right, it will not be bound collectively by the general or specific duties. The partners individually, as far as they are public authorities, have to comply with the general, and where applicable, the specific duties.

If a function is contracted out, the contractor will be carrying out a public authority function. For example, a private company that has been appointed to take over the running of a school will be required to meet the general and specific duties.

The public authority will be responsible for meeting the general and specific duties in relation to the procurement process and monitoring the contract. The contractor will be bound by the general duty in relation to carrying out the function. Often the contractor will not be performing a public function, just providing services on behalf of the public authority.

Involving disabled people

To inform the development of this Disability Equality Scheme, an advisory group was established in Spring 2006. The role of this group was to advise on the most appropriate methods for involving disabled people and to assist with identifying groups of disabled people to work with. The advisory group was made up of representatives from Southwark Disability Forum and Southwark Disablement Association.

The Council's consultation programme to inform the development of this Scheme was launched at Southwark's Disability Conference,

organised by Southwark Disability Forum. This marked the start of a programme of workshops and meetings with disabled adults and children, parents, carers and Council staff which took place over a three month period. Altogether over 350 people participated in the consultation.

Disabled people will continue to be involved in informing the Council's work in a number of ways. Some of these methods of involvement are described later in this document.

Southwark Council has published guidance on consultation. This sets out best practice in consulting with diverse communities with regard to EqIAs and more generally in the conduct of its business. The guidance is set out in full at Annex 5 of the generic Scheme.

Impact assessment

Annex one of the Council's generic equalities scheme contains a list of the Council's policies, functions and services (known as the schedule of relevance). Each of these was originally evaluated for its relevance to race equality, in order to comply with the race equality duty, with each area being assigned a high, a medium or a low relevance rating.

With the help and advice of disabled people, this schedule of relevance has now been revised to take account of the potential for a policy, function or service to have a higher relevance in relation to disability equality. No policies, functions or services have had their relevance rating reduced. However, a number have had their relevance rating increased.

Full details of how Equality Impact Assessments (EqIAs) will be carried out on the Council's policies, functions and services are set out in section 5.2 of the generic Equality Scheme 2005 – 2008. A three year programme of impact assessments is set out in Annex 3.

The Council's guidance and templates for undertaking EqlAs are set out in full at Annex 4: (Equality Impact Assessment Guidance and template).

Consultation with disabled people has informed the approach taken to carrying out EqlAs in Southwark. In particular, the Council will be drawing on the frame of reference provided by the social model of disability to consider the full impact of attitudinal and environmental barriers in preventing equality and inclusion for disabled people.

A major component of the Southwark Council's EqlA process is the involvement of a group of external experts from community forums and organisations within the borough with an interest in equality and diversity. The Equality and Diversity Panel meets on a monthly basis to review impact assessments carried out by officers, to comment on the way that these have been carried out and to advise on the proposed actions arising from them. Two representatives of Southwark Disability Forum and the Director of Southwark Disablement Association are members of the Panel.

In addition to conducting EqlAs, with effect from October 2005, a Community Impact Statement has been included in all Committee reports to the Executive, Scrutiny, and Community Councils. This ensures that impact on all sections of Southwark's diverse community is noted at the decision making stage.

Our priorities for improving equality and inclusion for disabled people in Southwark

Through the consultation that we have carried out with disabled people to inform the development of this scheme and other work that we have done, we have identified three priority areas. We have chosen these areas because they are very important for the way that the Council works in general and because we think that focusing on

these will present a real opportunity to create a sustained positive impact for disabled people.

Customer Services

Comprising approximately 17 per cent of Southwark's residents, disabled people are an important part of our customer base and, as with all our customers, have a right to receive high quality services and to be treated with respect, courtesy and understanding.

We will improve the quality of the customer service that we provide to disabled people through:

- Promoting the services available through the Customer Service Centre and our One Stop Shops;
- Working to identify improvements that we can make to our other frontline services, including a programme of mystery shopping exercises with disabled people; and
- Identifying those service areas where staff most need to have the skills, knowledge and understanding to provide a good service to disabled people and providing learning opportunities to enable them to develop these competencies.

Communication

Feedback has informed us that the way the Council communicates is not always as clear or as helpful as it could be for disabled people.

The Council is committed to improving the way that we communicate with disabled people by:

- Developing in-house expertise on accessible communications via training and working with disabled people,

- Reviewing the contents of the existing communications handbook and developing written guidance and agreed standards for staff to use in effective communication with disabled people.

In addition, we have also identified that there is more we can do to promote the involvement of disabled people in public life. We will do this through:

- Targeted communication activities with disabled people and groups; and
- Representing the lives of disabled people, their views and aspirations in the Council's mainstream communication methods.

Human Resources

Disabled people have skills and experience that would benefit any employer. It is also recognised that some staff at Southwark are not open about their disability with their manager or colleagues because they think this may disadvantage them.

We are committed to increasing the proportion of the Council workforce who are disabled and to increasing the confidence of disabled staff that they can be open about their disability through:

- Regular features and recruitment adverts in targeted publications for disabled people;
- Developing a structured approach to ensure disabled staff have (and continue to have) the workplace adjustments and support they need;
- Facilitating the redeployment of staff, focusing on staff development and new opportunities across the council; and

- Supporting the Disabled Staff Group

Further actions

The Council is also committed to a wider programme of activities that will help improve equality and outcomes for disabled people in Southwark. These activities are embedded within the Council's key strategies, which inform all the activities the council does. These strategies are monitored, regularly reviewed and reported on. Details of these strategies are referenced in the Corporate Plan.

Gathering information and monitoring

The Disability Discrimination Act places specific duties on the Council to collect and monitor information in relation to employment, educational opportunities and the delivery of services and functions. This section sets out what we plan to monitor across these three areas.

Employment

- Staff in post
- Applications for employment, training and promotion and the number of staff who:
 - receive training
 - are involved in grievance procedures
 - are the subject of disciplinary procedures
 - leave the organisation
- Outcomes of the performance appraisal procedures
- Number of disabled staff who have received support from Access to Work.

Educational opportunities

Due to the governance arrangements of schools, the information that can be recorded from all schools is set out below. This will be reviewed on an annual basis.

- Number of children who have a statement of special educational needs.²
- Pupils/ students on roll
- admission applications
- test scores
- attainment of formal qualifications
- attendance
- exclusions
- number of schools with a disability equality scheme

Delivery of services and functions

- Disabled people's satisfaction with the Council compared with the population as a whole (through annual residents' survey)

The results of monitoring will be published annually.

Full details of the arrangements for monitoring our policies are in **section 5.4** of the **Equality Scheme 2005 – 2008**. Please note that since the Equality Scheme was written, a Disabled Staff Group has been established and will be treated in the same way as the established BME Staff Group.

² The definition of disability under the Act is different from the eligibility criteria for special educational needs (SEN) provision. Schools need to consider this when collecting data on pupils.

Using the information gathered

Employment

The Head of Human Resources is responsible for collecting, analysing and publishing this information annually on behalf of the council.

An area for targeted activity is to:

- Increase the number of disabled staff employed by the council.
- Increase the percentage of disabled staff who are in the top 5% of earners.

Educational opportunities

The Education division within Children's Services will be responsible for their special schools and pupil referral units (PRUs), and for providing a leadership role in supporting schools in Southwark. Secondary schools will be responsible for their own Disability Equality Schemes from 4 December 2006 and primary schools from 3 December 2007.

Data from schools has already informed EqIAs and identified areas for targeted activity. For example:

- All disabled pupils obtaining a suitable school place
- Improved attendance
- Improved educational attainment
- Pupil tracking on mobility
- Pupil tracking on attainment
- Aim to reduce the number of exclusions
- Target setting for vulnerable groups
- Level of physical access to Southwark's schools

Delivery of services and functions

The strategic directors of each function will be responsible for collecting, analysing and publishing this information annually on behalf of the council. The data already collected informs EqIAs and identified areas for targeted activity. For example:

- Increased satisfaction of disabled people using services.

Implementing the scheme

The Scheme will be implemented as part of the existing Equality Scheme. Amendments to the Schedule of Relevance, and the EqIA guidance will be communicated to the Chief Officers' Equality Sub Group and to relevant officers through the designated Social Policy Officer.

A briefing will be circulated on 'The Source' (Southwark's intranet) and through the fortnightly staff bulletin that is disseminated by managers.

Bespoke training is already provided to staff who are carrying out EqIAs, and will be adapted to cover the changes made by recommendations from this Scheme's consultation programme. The equality and diversity training offered to all managers and staff will also promote the Scheme.

Meetings will be held with established local disability groups before the annual report in 2007 to find out if they have been involved in more of the council's activities, and whether they have identified examples of the council meeting its general duty.

Annual reporting

To complement the existing Equality Scheme, the annual review of the Disability Equality Scheme will form part of the annual report to the Executive in November 2007, and subsequent years from there on.

As this document, and the Equality Scheme, is reviewed annually, consideration will be given to incorporating the additional actions resulting from this Scheme into the generic scheme from 2008.

Preparation of the scheme

The Scheme was prepared by the Policy Team, who will also co-ordinate the reporting of information gathered to prepare the annual review.

Publishing the scheme

The Disability Equality Scheme will be published by 4 December 2006 and be available to the public from Southwark's website. Copies will be distributed to all groups that took part in the consultation programme.

Anyone wishing to receive a hard copy of this document, or the document in an alternative format, should contact the Policy Team.

List of organisations consulted on Southwark's Disability Equality Scheme, 2006.

Group	Method of consultation
Bede Learning Disabilities Project	Workshop
Cambridge House (19+ group)	Workshop
Contact a family	Workshop
Disabled Staff Group	Workshop
Fast Forward	Questionnaire
Latin American Disabled People's Project	Workshop
ME (Camberwell)	Workshop
Only Connect	Workshop
Organisation of Blind Africans and Caribbeans (OBAC)	Workshop
Southwark Carers Association	Workshop
Southwark Council's Chief Officers' Equalities Sub Group	Workshop
Southwark Disability Forum	Conference, workshops
Southwark Council's HR officers (disability specialists)	Workshop
Southwark Council's Staff	Drop-in sessions at 5 venues
SDA hearing impairment group	Drop-in sessions
Speak up	Workshop