

## **CABINET – 19 JANUARY 2010**

### **REVISED DISABILITY EQUALITY SCHEME**

#### **Report by the Assistant Chief Executive (Strategy)**

#### **Introduction**

1. Oxfordshire County Council is committed to ensuring 'real choice'; recognition that residents have a right to expect services that are shaped to meet their needs and are fair, timely and accessible. We aim to achieve this by recognising the differing circumstances of the local population, by listening to their views and by developing appropriate and innovative solutions.
2. On 21 November 2006, Cabinet agreed the first Disability Equality Scheme, with progress reported through and with the involvement of the Council's Social Inclusion Reference Group.
3. Public authorities subject to the specific duty to prepare and publish a Disability Equality Scheme are required to review and publish a revised scheme every three years. This should set out the disability equality priorities for the next three years, taking into account information gathered and relevant changes to the business.
4. Ensuring that the Council's statutory equality schemes are in place and delivered is a key requirement of the Equality Standard for Local Government, against which the Council was formally assessed by the IDeA at the end of October 2009. The agreement of revised disability priorities at this stage will also help to ensure that the Council is prepared to address the requirements of the government's Equality Bill and single equality duty, which is likely to come into force during 2011.

#### **Disability Discrimination Act 2005**

5. The Disability Discrimination Act 2005 amended the Disability Discrimination Act 1995 to place a statutory general duty on public authorities to promote disability equality. This builds on the duties within the 1995 Act, including the requirement to make reasonable adjustments to ensure that disabled people can access employment, goods, facilities, services, functions and premises. This means that public authorities must, in carrying out their functions, have due regard to the need to:
  - promote equality of opportunity between disabled persons and other persons;
  - eliminate discrimination which 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; and
  - take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.
6. The Act also imposes a number of statutory specific duties on the Council. These duties are intended to assist public authorities in meeting the general duty, in particular by setting out what public authorities should do to plan, deliver and evaluate action to eliminate discrimination and promote equality and to report on activities undertaken. The core requirements of the specific duties are:
- the preparation, review and publication of a revised Disability Equality Scheme;
  - implementation of the Disability Equality Scheme; and
  - the publication of progress reports.

### **Key Elements of the Revised Disability Equality Scheme**

7. The key elements of the draft revised Disability Equality Scheme are:
- Revised priorities based on evidence gathered;
  - Priorities based on what disabled people see as the most important areas to address, through continuing involvement;
  - Continuing to use our statutory equality impact assessments to show consideration of the effect of decisions on disabled people; and
  - An action plan to deliver the prioritised outcomes so that they can be reported on.

### **Disability Equality Priorities**

8. The priorities developed through the continuing involvement of disabled people are:
- Improving our understanding of disabled people and demonstrating positive attitudes towards them to ensure that we deliver excellent customer service;
  - Ensuring that our communications and engagement activities are accessible to disabled people and that disabled people feel that their views are being listened to and taken into account when decisions are made;
  - Making our buildings and sites more accessible to disabled people, improving highways, public transport and services to address their needs and promoting independent living; and
  - Improving the skills, qualifications and employment opportunities for disabled people and improving the representation of disabled people at

all levels in our workforce, ensuring that appropriate reasonable adjustments are made.

## **Risk Management**

9. Not adopting a revised Disability Equality Scheme risks investigation and enforcement action by the Equality and Human Rights Commission, actions by individual complainants, adverse publicity and failure to improve corporate performance.

## **Financial and Staffing Implications**

10. There are no financial or staffing implications arising directly from this report as the requirements are included within existing service and financial plans (e.g. building improvements include accessibility requirements; and the learning and development plan includes equality & diversity training.).

## **RECOMMENDATIONS**

11. **The Cabinet is RECOMMENDED to:**
  - (a) **agree the revised Disability Equality Scheme (Annex 1 of this report); and**
  - (b) **agree the revised 3-Year rolling schedule of statutory Equality Impact Assessments (Annex 2 of this report).**

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Background papers: Nil

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