



**CAMBRIDGE CITY COUNCIL**



## **DISABILITY EQUALITY SCHEME 2006**

### **Introduction**

*(to be completed ...)*

#### **1. THE LAW**

The Disability Discrimination Act (DDA) 1995 gives disabled people rights in education, employment and occupation, access to goods, facilities and services, and managing, buying or renting land or property. In April 2005 the law was extended (DDA 2005) to broaden the definition of disability, to cover all activities in the public sector including aspects of transport provision, and to introduce a new duty of promoting equality of opportunity for disabled people. These aspects of the DDA 2005 come into effect in December 2006 as a Disability Equality Duty, with a general duty and a specific duty for public bodies including local authorities.

The purpose of this duty is to ensure the active promotion of equality of opportunity to everyone who is covered by the Disability Discrimination Act. It recognises that discrimination against disabled people is not only caused by individual acts of prejudice or ignorance, but can be deeply rooted in institutions and systems in society.

The law has been designed to strengthen the rights of disabled people and to promote improvements in their lives particularly in the areas of participation in public life, tackling prejudicial attitudes, removing discriminatory barriers and advancing achievements to match those of non-disabled people in society.

### **General Duty**

The main duty is the general duty to promote disability equality, and Cambridge City Council will have to give 'due regard' to the need to:

- eliminate unlawful discrimination and harassment
- promote positive attitudes towards disabled persons, and equality of opportunity between disabled persons and other persons
- take account of disabilities – even if this means treating disabled people more favourably
- encourage participation by disabled people in public life

'Due regard' recognises that the disability equality duty is not the only factor public authorities need to think about. In Cambridge there is a significant local agenda due to planned future growth in the region, and the council itself is managing a major change to the way it delivers services to customers by developing a new Customer Service Centre. Implementing these changes will have a significant impact on all services and we will need to be aware of the implications for disabled people as these projects develop and progress.

## **Specific duties**

These are more detailed than the general duty, requiring us to undertake specific practical steps to promote disability equality, and to create a framework in which we plan, deliver, evaluate and report on our performance in carrying out the general duty. The aim is that these measures will bring about genuine and significant improvements in the lives of disabled people.

A fundamental requirement of the legislation is that all public bodies develop a Disability Equality Scheme (DES) with an accompanying implementation action plan spanning a three-year period, to detail how we will meet these statutory obligations and the new duty. Disabled people are to be involved in the development of the Scheme, which also needs to detail how services will be assessed for impact on people with disabilities. The DES must incorporate plans to gather and review information regarding employment and service provision within the duration of the scheme, to ensure progression is made towards outcomes. Annual reports of the DES will show progress towards outcomes.

## **What is disability?**

The Disability Discrimination Act defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. For the purposes of the Act:

- substantial means neither minor nor trivial

- long term means that the effect of the impairment has lasted or is likely to last for at least 12 months (there are special rules covering recurring or fluctuating conditions)
- normal day-to-day activities include everyday things like eating, washing, walking and going shopping
- a normal day-to-day activity must affect one of the 'capacities' listed in the Act which include:<sup>1</sup>
  - mobility
  - manual dexterity
  - physical coordination
  - continence
  - ability to lift, carry or otherwise move every day objects
  - speech, hearing or eyesight
  - memory or ability to concentrate learn or understand
  - perception of the risk of physical danger

### **Multiple sclerosis, all forms of cancer, HIV**

People with these conditions are now protected against unfair treatment in the workplace, education and housing or in accessing services, from the point of diagnosis.

### **Mental health**

People with mental health problems will no longer have to show they have a 'clinically well recognised' condition. This will broaden the range of mental health conditions covered by the new legislation.

### **Learning disabilities**

---

<sup>1</sup> [www.direct.gov.uk](http://www.direct.gov.uk)

People with learning disabilities are often overlooked and excluded from mainstream society. They face major difficulties accessing basic services and having their concerns heard or listened to, or their needs met. Public bodies have an obligation to consult, identify and consider the needs of this group within the disability equality duty.

### **Hidden disabilities**

It is important to recognise that not all forms of disability are visible, and that those people with hidden impairments are included in this new legislation.

### **Social model of disability**

Cambridge City Council is committed to promoting the social model of disability as the basis for services, initiatives, planning and actions in order to progress disability equality.

The Disability Rights Commission describes the social model of disability as:

“Disabled people do not face disadvantage because of their impairments but experience discrimination in the way we organise society. This includes failing to make education, work, leisure and public services accessible, failing to remove barriers of assumption, stereotype and prejudice, and failing to outlaw unfair treatment in our daily lives.”

This makes the important point that disadvantages faced by disabled people are not the results of the impairments themselves, but of the

barriers placed in their way. These include physical obstacles, but are chiefly barriers set up by the attitude that disabled people are less capable of being full citizens, leading to a culture of discrimination and exclusion from society.

## **2. CAMBRIDGE CITY COUNCIL: WHERE WE ARE NOW**

Cambridge City Council aims to achieve best practice around all equality issues including disability, and currently provides many services and initiatives across the council to meet the needs of disabled people. Some examples of these are:

### **City Services**

There is a pull out service for bins for elderly and disabled people, and a rangers service which will help the elderly and disabled to move furniture etc and items for bulky waste collections.

In building services there are female trades people who if requested will do housing repairs works for vulnerable tenants.

### **Human Resources**

Training and development opportunities are focused on promoting the skills and career development of disabled staff.

The council follows the 'two ticks' good employment scheme, and works with Engaging Employers at Papworth Trust encouraging more applications from people with disabilities.

Statistics are collected on employment practices to identify representation and progression rates of disabled staff in the organisation.

The council offers disability related leave and flexible working packages, and employs a Diversity Adviser within HR to further improve equalities practice.

### **Community Services: Community Development**

The council employs a Community Development Officer with specific responsibility for working with disabled groups in the voluntary sector to support that community. There are various projects such as the Cambridge Forum of Disabled People, and community centres have all been adapted to be accessible under the Disability Discrimination Act (DDA).

### **Community Services: Housing**

There are various services for people with disabilities including home adaptations, information made available in different formats, home visits, inclusive consultation processes and a disabled housing register.

### **Community Services: Active Communities**

Sports and leisure services include targeted and supported sessions for people with disabilities, such as the Start Up exercise referral scheme and the annual Disability Sports Festival.

### **Environment & Planning**

The Disability Consultation Panel responds to planning applications, and disability groups are consulted regarding development work. Disability equality is a main consideration in environmental strategies. The council employs an Access Officer to advise on the DDA and access issues. The council assists in meeting disabled people's transport and mobility needs by funding Taxicard and Shopmobility services, and works in partnership to support the Dial-A-Ride service.

## **Arts & Entertainments**

Services provide for disabled people in care facilities and also as part of mainstream programming.

## **Democractic Services**

Contact points such as receptions or the website are designed to address access needs, and various steps are made to assist disabled people's participation in democratic services.

## **General**

The council produces an annual Guide to Council Services for Older and Disabled People. This is reviewed each year to ensure relevance and accessibility, and it is distributed free of charge and in various formats.

Offering interpreting and translation services including communication support are standard practice throughout the council, and staff are advised on ensuring all information and events are fully accessible.

Cambridge Disabled Residents' Consultation Panel meets to look at different aspects of the council's business on a regular basis.

## **Access**

In response to the physical access provisions of the Disability Discrimination Act which came into force in October 2004 relating to access to buildings, the council set up a senior level working group to plan, audit and identify adjustments to buildings and premises needed in order to meet these obligations. A capital programme budget was allocated to meet the works required, and all essential work was carried out in accordance with the timescale as set out by the legislation.



## **Community participation**

There are a number of ways disabled groups or individuals can participate in the council's services and decision-making structures.

- Planning: there is a dedicated consultation panel that looks at planning applications and issues
- Consultation: consultation processes which directly engage different groups within the disabled community, including a residents' consultation panel looking at different aspects of the council's work
- Equalities Panel: includes representation from key disability organisation
- Disabled Staff Group: open to all disabled staff, with attendance classed as work time
- Community Development: various forums, information and advice

## **Joint working**

Cambridge City Council is developing close working relationships with Cambridgeshire County Council on equalities issues as well as in other areas of work, and for the purpose of the DES have taken note of the report from the County's Physical and Sensory Impairment Board. It is envisaged that this link will continue throughout the duration of the DES, to ensure that dialogue on issues for disabled people continues and results in relevant actions being taken to address these by both councils.

## **3. DEVELOPING THE DISABILITY EQUALITY SCHEME**

### **Involving disabled people**

As a fundamental principle and requirement of the law, we are required to involve disabled people in identifying the barriers they face, setting priorities, assisting with planning, monitoring progress and evaluating outcomes. This establishes that actions are based on a proper and informed understanding of what needs to be done, and how to do it.

Involvement of disabled people must be more than consultation, and needs to include developing links with different forums and panels. We will ensure that disabled people are able to participate fully in the process. It may be necessary to make extra effort to reach certain groups such as those with learning difficulties or mental health issues, or disabled people from minority communities.

### **The process**

In early 2006 Cambridge City Council established a working group to plan the development of its Disability Equality Scheme (DES).

Membership of that group included officers responsible for:

- access (physical, DDA)
- Community Development disability issues
- Equalities
- disability equality on planning issues
- consultation
- Best Value & Performance
- employment

This group met regularly to identify issues to be addressed and ways of involving the disabled community. Two key officers, the Access Officer and the Community Development Officer (Disability), maintained the links with key organisations, forums and individuals within the disabled community throughout this process.

### **Internal audit**

In order to inform the development of the DES, a council-wide check was made across all departments of what we already provide in our services and employment practices. This was to help identify both good practice and any areas of concern. The results of this audit were fed back into the DES working group.

### **Consultation**

A consultation audit around budget priorities was held with members of the disabled community in February 2006. This helped identify some key issues to feed into the Disability Equality Scheme. A further targeted consultation process took place in May 2006 with members of Speaking Up. This is a local organisation that enables people who experience learning difficulties, mental ill health or other disabilities to find their voice and shape their own lives.

### **Identifying priorities**

Cambridge City Council held a community consultation event in July 2006 as a way to gain the views of people with disabilities. The event took place in a fully accessible central city venue. Targeted information

was sent out and the event was publicised on the council's web page to encourage people to attend.



Groups and individuals representing various disabilities were invited to get the widest range of perspectives possible. Attendees had to be Cambridge City residents. Members of the council's Disabled Staff Group and disabled representatives from the council's Equalities Panel and Cambridge Disabled Residents' Consultation Panel were also invited. Networks such as users of Shopmobility were used in order to gain maximum representation.

The event focused on the three key themes of **participation, culture and discrimination**. Disabled people facilitated workshop-style discussions. Discussions focused on the aims and principles of the Disability Discrimination Act. The Council's Equalities Champion, who is a member of the Corporate Management Team, led the event. Officers and staff from across the council supported and facilitated the day.

Notes from the workshops were posted on the council's website to give another opportunity for feedback and comments before finalising the first draft of the DES (see Appendix I).

### **Assessing impact**

The law requires Cambridge City Council to assess the impact of how our services and policies impact upon people with disabilities. We already work in this way using two main methods: Equality Impact Assessments (EIAs), and consultation.

EIAs, which came originally from race relations legislation, are a way of checking services against equality criteria. This helps to identify any gaps, adverse impacts or opportunities to promote equality. The Council has a well-established EIA process, and disability is one of the criteria we look at along with race, gender, age, religion/belief, and sexual orientation. We shall not, therefore, have to revisit policies and functions that have already undergone an EIA. It will, however, be important that the programme of EIAs already planned is adequately resourced and followed through.

### **Procurement**

The disability duties only apply to public bodies, but a large number of private or voluntary sector organisations carry out public functions and for that purpose may fall within the scope of this legislation. The Disability Rights Commission advises that where a private body has contracted with the public body to carry out a public function, then the

contractor will be bound by the general duty in relation to the carrying out of that function. The public body will still be responsible for complying with the duty both in the procurement process itself, and in monitoring the performance of the contract. Cambridge City Council will therefore need to begin to revise our standard terms and conditions to include information about the DDA 2005, including a requirement that the contractor complies with the anti-discrimination provision of that law.

#### **4. MEETING THE GENERAL DUTY: THE ACTION PLAN**

The purpose of the new disability equality duty is to make necessary and significant changes that will ultimately lead to improvements in the lives of disabled people. What these actions should be are identified through the processes outlined above: consultation and involvement, assessing impact, meeting statutory obligations, tackling discrimination and prejudice, and promoting equality. How our objectives will be achieved is detailed in the action plan that is part of this DES (see Appendix II).

#### **Plans to publish**

Legislation determines that all Disability Equality Schemes are published on 4<sup>th</sup> December 2006. At Cambridge this will be done as part of our celebrations of International Day for Disabled People, and the launch of our updated Guide to Council Services for Older and Disabled People publication.

### **Reviewing the DES and the action plan**

The authority's Disability Equality Scheme is to be reviewed annually. A revised Scheme will be published no later than three years after the date of publication of the first Scheme, and at intervals of three years after that. We already produce an Annual Equality and Diversity Report that we publish on the Internet. This will be used as the vehicle for reporting on progress against our Disability Equality and Race Equality Schemes.

Reviews will be submitted to the Corporate Management Team, the Equalities Panel and Strategy Scrutiny Committee for consideration, and also to the Cambridge Disabled Residents' Consultation Panel.

**APPENDIX I**



**Cambridge City Council  
Disability Equality Scheme Consultation Event, 14 July  
2006**

**Notes from all sessions**

**CULTURE WORKSHOP**

**Facilitator: Lynne Hester**

**1. Where do you come across attitudes that “put you off” or make you feel unwelcome or a problem?**

- Education of motorists – awareness of disabled people
- Reception points – must be people based and not Interactive Voice Response
- Lack of induction loops and suitable facilities at meetings
- Call Centre – cost of access numbers (where customer has all inclusive phone tariff)
- Taxi Card Scheme – Taxi driver awareness of hidden disabilities
- Cyclists – particularly City Centre and Lion Yard
- Pavements
- Coach access – suitable vehicles – could CCC make a stipulation of contract? *Meridian have disabled coach access.*
- Street lighting – lack of in Historic Centre – has been promised for years.
- Shops – lack of awareness e.g. portable ramps, call bells

**2. How do you feel we, as the City Council, promote positive and welcoming opportunities to disabled people?**

The comments below are where the group felt that the City Council **did not** promote well:

- Disabled facilities at hired venues
- Assumptions – hidden disabilities



- Pavements – widths and restrictions
- Assessment of pedestrian routes
- Overload of motorist information signs
- Adequate breaks at consultation events
- Cycle hazards

**3. Have you examples from your own organisations of how you promote disability equality in ways that the City Council could learn from, e.g. training, or putting in place procedures for addressing communication and access needs?**

- Scooter – promotional video “Day in the life of a user”
- Facilities – good standards meeting DDA requirements at hired venues

**PARTICIPATION WORKSHOP**

**Facilitator: Mark Taylor**

**BARRIERS TO PARTICIPATION**

<b>Democracy</b>	Voting Representing Politics	<b>Engagement</b>	Not just consulting Panels Forums Being inclusive
------------------	------------------------------------	-------------------	--

**Audience Feedback**

**DEMOCRACY**

Polling stations                      Not accessible to all  
Light levels (too dark for partially-sighted voters)

Councillors                              Better training in disability issues  
Accessibility – how do people get in touch with them?

Area committees      Currently a positive experience (but perhaps people who walked out of initial meetings should be invited back)  
Provision of disabled toilets  
Better publicity of meeting dates (advertisements in free newspapers, rather than the Cambridge Evening News)

Neighbourhood watch      Better publicity of meeting dates

## **ENGAGEMENT**

- City Council finds it very difficult to stimulate active engagement with its communities (we haven't cracked it, but neither have the voluntary groups either)
- Better reporting back of results (eg Disability Consultative Panel)
- Possible use of advocates if fear of participation will 'out' a person's status (eg people living with HIV/Aids)
- People shouldn't need to identify themselves
- City Council should go to the disabled community, rather than the groups to the Council
- Dissatisfaction with Disability Strategy Steering Group – consulted with the disabled community, but adjudicated by able-bodied people with few tangible results
- Could try less formal consultation exercises (eg pub/drop-in groups)

## **PASTE-UP SUGGESTIONS**

### **VERY IMPORTANT, VERY URGENT**

#### **Democracy**

- Make the polling stations accessible to all (eg River Lane)
- Assistance at polling stations
- Awareness that English may not be the first language of people, therefore producing materials in other languages or interpreters
- Improved training for staff holding meetings and at polling stations
- Awareness/publicity of Area Committees
- Councillors to have DDA training

- Disability awareness training (including hidden disability issues) for councillors
- Better publicity
- More information
- Raise awareness of procedures for people with disabilities

### **Engagement**

- Use free newspapers to advertise meetings
- Be aware that some people do not want to be identified as disabled – visit their groups for their views
- As a disabled group, people do come with their problems for us to help them to solve as they feel the Council does not listen them to
- Visits to particular groups
- Do not use consultation as political correctness but as an objective

### **LESS IMPORTANT, VERY URGENT**

#### **Democracy**

- Make the local meetings accessible for all
- Improve polling stations accessibility
- Dropped kerbs are fantastically marked in Cambridge – just finish the job!
- Area Committees need more accessible venues

#### **Engagement**

- We need to get more people from organisations involved. If staff cannot make the event, get volunteers to come
- More advertising and more widely
- Advertise more about panels and forums that the City Council run
- Make meetings less formal therefore less intimidating!

### **VERY IMPORTANT, LESS URGENT**

#### **Democracy**

- Inform Neighbourhood Watch by mail (not computer) of local police meetings
- Councillors need awareness of disabilities – practical training, not by paper
- Make sure Residents' Associations are encouraged to go to Area Committees
- Advertising for local meeting
- Local councillors to engage more actively in minority groups, ie hidden disabled like the mentally ill to vote at all
- Dropped kerbs to access routes
- Make it easier for disabled people to become councillors (eg length of council meetings, etc)
- Improve advertising for opportunities for people with disabilities to get involved
- Ensure that all meetings are held at disabled friendly buildings and always open disabled access (this building for example!)

## **Engagement**

- Approach church groups, as there is a big network of them
- Good idea to consult disability groups individually – gives chance and time to focus properly on their needs
- Go to groups in their own areas
- Feedback and regular contact/mailings on action points to come out of meetings
- Perhaps City councillors could ring support workers to arrange informal meetings with the direct groups either at home or in coffee shops (for example) and then to make meeting an open forum where each person can offer their grievances
- Many persons with a plethora of mental illnesses often feel threatened by meetings of any kind, ie they are anxious, stressed, depressed to name a few, who feel that politics on any level does not include them

## **LESS IMPORTANT, LESS URGENT**

### **Engagement**

Telephone conversations

## **DISCRIMINATION WORKSHOP FACILITATOR: SUE SIMMS**

### **Linked DDA Aims**

- Promote Equal Opportunities
- Eliminate Unlawful Discrimination

The group wished to raise and talk about the following issues:

### **Travel in the City**

- Areas and routes that motorized wheelchairs and scooters may and may not go – and people's awareness of this.

### **Public Transport**

- The reliability of public transport (it was noted that whilst planning decisions and planning policy are an area of responsibility of the City Council – transport issues themselves are the County Council's remit).

### **Employment issues (General)**

- Improved access to The Guildhall, Hobson House and all City Council premises for disabled employees
- Greater flexibility of the City Council as an employer
- More information should be given to job applicants in both the application pack and at interview about disabled access for City Council employees
- It was the responsibility of the Line Manager, and not the employee, to initiate the Access to Work scheme where appropriate

### **Employment issues (Hidden Disabilities)**

- People with hidden disabilities such as mental illness should be supported more at work
- There should be more opportunities for flexible working and home working
- Employment terms, job descriptions and person specifications should be more flexible and more personalized to each employee and his or

her needs – so that those with hidden disabilities were not hindered from working and progressing at the Council

- Employees should be enabled and empowered

### **Employment issues (Multiple Disabilities)**

- There should be greater awareness of and support for people with multiple disabilities, and also of disabled employees who suffered from illness as a result of their disability

### **Employment issues (Disability Awareness)**

- There should be more Disability Awareness training and greater access to training
- It is especially important to train and support managers on disability issues

### **County Council Involvement**

Although slightly outside the topic of this workshop – the group wished to know when the County Council's DES event would be held. It also wished to know why the County Council was not involved in or had attended Friday's event.

Notes taken by Paul Boucher, Martha Goodhill, Kerry Hewitt