

## **BRECKLAND COUNCIL**

### **Report of the Deputy Chief Executive Tim Leader to the**

### **CORPORATE MANAGEMENT TEAM – 7<sup>TH</sup> MAY 2008**

### **OVERVIEW AND SCRUTINY COMMITTEE – 29<sup>TH</sup> MAY 2008**

### **CABINET – 10<sup>TH</sup> JUNE 2008**

## **YEAR ONE REVIEW OF THE DISABILITY EQUALITY SCHEME**

### **1. Purpose of Report**

- 1.1 To seek the approval of the Cabinet for the publication on the Breckland Council Website of the Year 1 review of the Breckland Disability Equality Scheme Action Plan December 2006 – November 2009.

### **2. Recommendations**

- 2.1 That the Overview and Scrutiny Commission consider the report and forward any comments or recommendations to the Cabinet.
- 2.2 The Cabinet approves of the publication on the Breckland Council Website of the Year 1 review of the Breckland Disability Equality Action Plan December 2006 – November 2009.

**Note:** In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

### **3. Information, Issues and Options**

#### **3.1 Background**

- 3.1.1 Under the specific duties within the Disability Discrimination Act 2005 (DDA), Breckland Council has a statutory duty to publish a three year Disability Equality Scheme (DES) and action plan; this was published on 4<sup>th</sup> December 2006.
- 3.1.2 The DES is revised every three years and annually, a progress report of Breckland's DES action plan is required to be published to inform interested groups on how Breckland Council has met the objectives within the action plan.

#### **3.2 Issues**

- 3.2.1 The cornerstone of the DDA is the involvement of disabled people and their representative groups in developing, monitoring and scrutinising the DES and its action plan.
- 3.2.2 Evidence of disability inequality in our services and employments practices was gathered under an award-winning consultation exercise with disabled people and groups within Norfolk throughout 2005. The information obtained was used to develop the Norfolk Partnership Disability Equality Scheme, the Breckland Disability Equality Scheme and the associated action plans.
- 3.2.3 The Breckland Disability Forum, which is now defunct, was facilitated by the Council and consisted of disabled people from the Breckland community to monitor and scrutinise Breckland's DES action plan. The Norfolk Coalition of Disabled People are aware of the demise of the forum and along with the Equality Officer, are seeking to find a more effective alternative means of involving disabled people in the implementation of the action plan.

3.2.4 Attached to the report is the Year 1 Review of the Breckland Disability Equality Scheme's Action Plan.

### 3.3 Options

3.3.1 The Cabinet are invited to note the report and approve the publication of the Progress report of Disability Equality Scheme Action Plan on to the Breckland Council Website to fulfil its statutory obligations of the specific duties within the Disability Discrimination Act 2005.

3.3.2 The Cabinet are invited to note the report and if the Cabinet does **not** approve the publication of the Progress Report of the Disability Equality Scheme's Action Plan 2006 – 2009 on to the Breckland Council Website, the Council will be at risk of breaching the statutory obligation of the specific duties within the Disability Discrimination Act 2005 and being subject to enforcement action as outlined in the 'Legal Implications' (Section 5.)

## 4. **Risk and Financial Implications**

### 4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and can confirm that risk has been given careful consideration, and that there are no significant risks identified associated with the information in this report. NOTE: depending on the outcome of the decision made this could include risks for Members not agreeing to the proposed preferred recommendation option, or risks attached to the agreed preferred recommendation option

### 4.2 Financial

4.2.1 None.

## 5. **Legal Implications**

5.1 This is a statutory requirement of the Disability Discrimination Act 2005. Failure to meet the requirements within the Specific Duty can result under Chapter 13 section 49e/f of the DDA, the Equalities and Human Rights Commission (EHRC) to serve a 'Compliance Notice'. Failing a response from the authority to comply with the notice, the EHRC can apply for a court order for the authority to comply or risk being in contempt of court.

## 6. **Other Implications**

- a) Equalities: Has an Equalities Impact Assessment been conducted? No – implicit within process
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: The DDA relates to all our employment practices.
- e) Human Rights: None
- f) Other: None

## 7. **Alignment to Council Priorities**

7.1 The matters raised in this report fall within all of the Council's priorities, as the DDA relates to disability equality in all our services and employment practices.

## 8. **Ward/Community Affected**

8.1 All.

Background Papers  
Progress Report Year One.

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Key Decision Status (Executive Decisions only):

N/A

Appendices attached to this report:

Appendix: Year 1 review of the Breckland Disability Equality Scheme Action Plan December 2006 – November 2009.

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**Year 1 review of the Breckland Disability Equality Scheme Action Plan**  
**December 2006 – November 2009.**

Action and Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
<p><b>Action:</b> Full consultation with disabled people on the drafting of the Choice Based Letting Scheme.</p> <p><b>Purpose:</b> The needs of disabled people taken into consideration in the allocation of social housing.</p>	<p>June 2007.</p>	<p>Delayed due to change of partner in administrating the housing register. New partner, ARP Trading, is commencing programme to have new Allocations Policy based on Choice Based Lettings completed by December 2008. The consultation programme (from end of 2007 and throughout 2008) will include access groups and the Norfolk Coalition of Disabled People.</p>
<p><b>Action:</b> Incorporate results of consultation with the Physical and Sensory Disability Client Group under Supporting People in the development of a housing and housing support strategy for new and existing housing services.</p> <p><b>Purpose:</b> A housing and housing support strategy incorporating the needs of the physical and sensory disability client group.</p>	<p>Draft Strategy – June 2007. Final Strategy – July 2007.</p>	<p>Strategy development delayed due to difficulty in appointing new staff member. Enabling &amp; Strategy Officer now in post and the specification has been developed (part of the consultation process was with the Breckland Disability Forum on the 1<sup>st</sup> June 2007.)</p> <p>Kassie Melynk Partnership is developing the Strategy under the direction of a steering group, consisting of representatives of Housing, Supporting People, Adult Social Services, Primary Care Trust and the Norfolk Coalition of Disabled People. The first draft is undergoing consultation with all stakeholders over a 12 week period from 24<sup>th</sup> April to the closing date of 20<sup>th</sup> July 2008.</p>
<p><b>Action:</b> For all new housing schemes in the market towns (of a suitable size and nature to trigger an affordable housing contribution), the Council will seek at least 1 wheelchair bungalow as new provision.</p> <p><b>Purpose:</b> Increased accessible affordable housing for disabled people.</p>	<p>January 2007 onwards.</p>	<p>Proposals for the affordable housing policies to be contained in the Local Development Framework are in development.</p> <p>Regarding the current practice to seek a wheelchair bungalow on all sites of over 25 homes where practical in the towns, no sites have as yet come forward since the adoption of this document.</p> <p>Breckland Council is also promoting the 'Life long home standard' – designs that are intended to be suitable for the life time of the tenants through health and sickness.</p>
<p><b>Action:</b> All appropriate services within the Council will encourage, provide information to, and facilitate</p>	<p>Complete EQIA by 31 March 2007. Action planning April 2007</p>	<p>The Equality Impact Assessment has been completed and no adverse impact to disabled people has been identified. However, this service is going to be reviewed by the Council's Culture team in December 2008 and</p>

Action and Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
<p>access to funding, to enable disabled people to develop community projects.</p> <p><b>Purpose:</b> Available funding streams and other advice on how to develop community projects will be provided on request.</p>	onwards.	part of the review will include reviewing the access requirements for disabled people.
<p><b>Action:</b> Review the use of the 'two ticks' disability symbol.</p> <p><b>Purpose:</b> To ascertain whether this is still required in addition to our equalities policy ('celebrating diversity'.)</p>	September 2007.	Meeting held in October 2007 with Dereham Jobcentre's Disability Development Worker and the 'Two Ticks' disability symbol was considered appropriate. One of the commitments within the scheme is the annual review of how effective the scheme has been.
<p><b>Action:</b> Develop a positive action strategy for the recruitment of disabled people.</p> <p><b>Purpose:</b> Staff who acquires disability during employment will be supported back into employment within the authority.</p>	Sickness procedure to be reviewed – September 2007.	Sickness procedure revised under the Two Ticks project and completed by May 2007.
<p><b>Action:</b> Establish a realistic central budget for workplace aids, adaptations and equipment.</p> <p><b>Purpose:</b> Central budget for workplace aids, adaptations and equipment will enable staff who require such services to receive them quickly, ideally prior to starting/returning to work.</p>	September 2007.	Currently being developed to set baseline costs on i) past applications from Access to Work, ii) the criteria for access to work and, iii) opportunities from the workstep program (a program for helping people to keep their jobs include assessment, financial help and advisory service.) A review of the findings is planned by the Human Resources team for September 2008.
<p><b>Action:</b> Ensure that disabled people are able to take up services and benefits available to them through the accessibility of information in a range of appropriate formats.</p> <p><b>Purpose:</b> All information will be available in appropriate format on request.</p>	Investigate available formats with INTRAN and Pearl Linguistics. All communications (including website) to advertise availability of information in alternative formats on request – March 2007.	<p>All communications (including website) advertise availability of information in alternative formats on request.</p> <p>Breckland Website conforms to Government accessibility standards. Consideration being given to add icon to enlarge 'Accessibility' page on website.</p>
<p><b>Action:</b> Ensure that the Breckland Disability Forum is actively engaged and consulted on services</p>	January 2007 onwards.	A review of the Breckland Disability Forum and its steering group has resulted in the Forum being disbanded. Alternative means for consultation is being explored between Breckland Council's Policy and Performance

Action and Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
<p>provided by the Council that may have an impact on disabled people.</p> <p><b>Purpose:</b> Ensure better engagement with disabled people when reviewing/monitoring services.</p>		<p>team and the Norfolk Coalition of Disabled People.</p>
<p><b>Action:</b> Provide 4 advice sessions to promote and encourage take up of benefit for hard to reach groups.</p> <p><b>Purpose:</b> Increase take up and improve understanding of Housing and Council Tax benefits.</p>	<p>Annually (December).</p>	<p>Due to the reporting mechanism within the Council, the performance management system records the number of events from the 12 month period from April to March. Three sessions were undertaken with Citizens' Advice Bureau and with Registered Landlords during 2007 but over the period from April 1<sup>st</sup> 2007 to March 31<sup>st</sup> 2008, there has been five sessions in total.</p>
<p><b>Action:</b> Enhance the corporate compliments and complaints procedure to ensure that it monitors by a range of diversity categories, including disability.</p> <p><b>Purpose:</b> Monitoring of complaints will enable the Council to identify issues/barriers to access by disabled people.</p>	<p>Review compliments and complaints system by 31 March 2007.</p>	<p>Monitoring forms that include the disability category are sent with paper copies of the Compliments and Complaints form. Since November 2007 the results of this monitoring are forwarded to the Equalities Officer as part of the Council's performance management system.</p>

## Ongoing Actions

Action + Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
<p><b>Action:</b> Employment procedures to be reviewed and updated in-line with legislation.</p> <p><b>Purpose:</b> There will be no barriers to employment within the Council.</p>	<p>Rolling basis – in line with legislation.</p>	<p>The disability symbol of Two Ticks certification was awarded to Breckland Council in May 2007. This underlines the Council's commitment to disabled people within its employment practices in the following way:</p> <p><b>Commitment 1:</b> To interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities.</p> <p><b>Commitment 2:</b> To ensure there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what they can do to make sure they can develop and use their abilities.</p> <p><b>Commitment 3:</b> To make every effort when employees become disabled to make sure they stay in employment.</p> <p><b>Commitment 4:</b> To take action to ensure that all employees develop the appropriate level of disability awareness needed to make your commitments work.</p> <p><b>Commitment 5:</b> Each year, to review the five commitments and what has been achieved, to plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans.</p>
<p><b>Action:</b> Provide mandatory training on disability issues for all staff involved in the recruitment process.</p> <p><b>Purpose:</b> All staff involved in recruitment will be aware of disability issues and able to support candidates/new employees with disabilities.</p>	<p>December 2006 - ongoing</p>	<p>Grass Roots Training programme undertaken by all staff and members. Human resources to:</p> <ul style="list-style-type: none"> <li>i) Provide a procedure for staff involved in the recruitment process to access 'Access for work' when required.</li> <li>ii) Job Introduction Scheme - grants for employers</li> </ul>
<p><b>Action:</b> Develop and circulate reliable information on disabled people within Breckland.</p> <p><b>Purpose:</b> Accurate information on the numbers of disabled people in the district, including a summary of the range of disabilities and ideas on best practice for catering for the needs of disabled people.</p>	<p>December 2007.</p>	<p>Breckland DC and Norfolk PCT working within Breckland Local Strategic Partnership's Health and Well Being Partnership have developed data to provide a profile at Breckland District level relating to health, demographics and deprivation. It has been cited as an ongoing project as when resources allow, more qualitative data will be collected to provide a more accurate picture.</p>
<p><b>Action:</b> Ensure that information regarding how our services can be delivered to suit different needs use an appropriate media to send out the message, e.g.</p>	<p>April 2007</p>	<p>Compilation of existing information available within the Council – April 2007 and production of up-to-date guidelines made available on the intranet - ongoing.</p>

Action + Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
<p>talking news, newspapers, e-mail, radio, tapes, BSL, other languages.</p> <p><b>Purpose:</b> All service areas are aware of and understand the use of various formats.</p>		Voice available on MP3 format.
<p><b>Action:</b> Provide training for all staff in disability issues to enable them to give appropriate service to disabled people.</p> <p><b>Purpose:</b> All staff will have awareness/understanding/in-depth knowledge of disabilities to the level needed to carry out the duties of their post.</p>	Annual assessment and reporting (September).	Current training provided is the Grass Root Training programme and the use of Intran relating to obtaining the services of Deaf Connexions.
<p><b>Action:</b> Ensure that all staff know how and where to access communication in a range of formats.</p> <p><b>Purpose:</b> Staff will be able to respond to customer requests for information in various methods quickly and easily.</p>	December 2006 – ongoing.	Training programme for equalities on Website; the core training programme for this is INTRAN and the use of Deaf Connexions.
<p><b>Action:</b> Ensure that provision is made for effective communication in meetings, training events etc.</p> <p><b>Purpose:</b> Members of the public and staff with disabilities will be able to take a full and active part in all meetings/events organised by the Council.</p>	December 2006 – ongoing.	Toolkit to be developed by July 2008 for Officers, i.e. the equipment available, feedback form and details of where to hire equipment.

### Completed Actions

Action + Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
<p><b>Action:</b> Ensure best practice guidance in 'Accessibility Matters 3: making public involvement accessible' is followed by all staff.</p> <p><b>Purpose:</b> Consultation fatigue will be avoided.</p>	<p>January 2007 onwards.</p>	<p>Breckland's Consultation Plan has a Consultation Toolkit that encompasses the practical implications of the 'Accessibility Matters 3' guidance.</p> <p>Best practice to be included in the draft Comprehensive Engagement Strategy which should have a draft strategy developed before April 2008 and finalised by June 2008.</p>
<p><b>Action:</b> Increase percentage of priority 1 and 2 Disabled Facilities Grants (DFGs) approved within 60 days from receipt of completed documentation.</p> <p><b>Purpose:</b> Increased accessible affordable housing for disabled people.</p>	<p>Target of 90% for priority 1 2006/2007.</p>	<p>Breckland supplemented the DFG it received by £300,000 in 06/07 to meet additional need.</p>
<p><b>Action:</b> Improve advertising procedures for the recruitment of disabled people.</p> <p><b>Purpose:</b> More disabled people will apply for and be successful in gaining employment with the Council.</p>	<p>Advertising procedures to be reviewed annually (September 2007 onwards).</p>	<p>Two ticks project covers recruitment and retention.</p>
<p><b>Action:</b> Improve short-listing procedures to ensure disabled applicants who meet the essential requirements are guaranteed an interview.</p> <p><b>Purpose:</b> More disabled people will be interviewed for appropriate vacancies.</p>	<p>January 2007 onwards.</p>	<p>New procedures incorporated into training for officers who carry out recruitment; managers have been updated on these procedures.</p>
<p><b>Action:</b> All appropriate services within the Council will encourage, provide information to, and facilitate access to funding, to enable disabled people to start up in business.</p> <p><b>Purpose:</b> Available funding streams and other advice on how</p>	<p>Complete EQIA by 31 March 2007. Action planning April 2007 onwards.</p>	<p>Equality Impact Assessment carried out by lead officer reveals that there are no barriers for disabled people to apply for funding from the Business Development Services.</p>

Action + Desired outcome	Timescale/ Milestones/ Benchmarks	Progress
to start up a business will be provided on request.		
<p><b>Action:</b> Ensure that all forms produced by the Council are clear and concise and only ask for information which is essential for the service or benefits applied for.</p> <p><b>Purpose:</b> All information will be easily read and understood by all residents, visitors and those who work in the district.</p>	March 2007	From June 2007, all service heads were informed all corporate branding and PR forms are to be sent to the Communications officer for scrutiny. All staff informed and guidance placed on the staff internet.
<p><b>Action:</b> Provide appropriate training and support for new employees and their colleagues on disability issues.</p> <p><b>Purpose:</b> New employees and their colleagues will have a greater understanding of the needs of disabled people and know how to access support within the Council.</p>	Corporate equalities training programme - 31 March 2007.	Bespoke training as and when required. Dereham Job Centre will undertake and signpost the appropriate training programme specific to the type of disability.
<p><b>Action:</b> Become a model of good practice in consulting disabled people.</p> <p><b>Purpose:</b> An audit trail is produced to demonstrate that the Council uses best practice when consulting disabled people.</p>	Draft good practice toolkit – December 2006. Final toolkit June 2007.	<p>Consultation Toolkit identifies disabled people among the seldom heard groups.</p> <p>Currently setting up audit trail via Equality Impact Assessments on reports to directorate level of Breckland Council.</p>
<p><b>Action:</b> Review polling stations for 100% accessibility at all stations.</p> <p><b>Purpose:</b> 100% accessible polling stations – increased voting opportunities for disabled people.</p>	Review to be completed by May 2007.	Completed.