



**ASHFORD**  
BOROUGH COUNCIL

**Disability Equality Scheme**

# 1 Foreword by the Leader of the Council and the Chief Executive

Ashford Borough Council is committed to ensuring disability equality in every aspect of its service provision and also in its responsibility as an employer. The Council will always promote equality of opportunity for everyone, regardless of race, gender, disability, age, faith or sexual orientation, both in the delivery of its services and in the employment of staff. It will also carry out equality impact assessments including disability impact assessments and ensure that service assessments and reviews consider how diversity, human rights and user focus are considered, as part of the delivery of all its services.

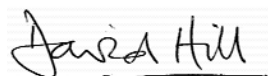
A number of areas within the Council Corporate Plan for 2007 to 2010 underline our commitment to equality and quality of services:

- Provide quality services through year on year continuous improvement.
- Improve opportunities for residents to influence the provision of council services by introducing a consultation charter.

This Disability Equality Scheme sets out what we are doing in order to meet our statutory obligations under the Disability Discrimination Act 2005. Each set of outcomes and objectives within the Action Plan will be delivered through a series of underpinning actions.



Councillor Paul Clokie OBE  
Leader of the Council



David Hill  
Chief Executive

## 2 Introduction

The Disability Discrimination Act 2005 has amended the Disability Discrimination Act 1995 (“the Act”), with effect from **5th December 2005**, so that it now places a duty (known as the General Duty) on all public authorities, when carrying out their functions, to have “due regard” to the need to:

- promote equality of opportunity between disabled persons and other persons
- eliminate discrimination that 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.

The core requirements of the duty are:

- The preparation and publication of a Disability Equality Scheme
- Implementation of the Disability Equality Scheme (via an action plan in the scheme)
- Involvement of disabled people in any change in policy or in the formulation of any new policy.
- Annual reporting

Ashford Borough Council’s Disability Equality Scheme meets these requirements, and contributes toward our aim of promoting good disability equality practices across the Borough. It also ensures that we will meet the needs of both our disabled customers and employees.

This Scheme sets out our overall objectives for improving and addressing disability inequalities, and the action plans show how we will be delivering improvements in access to services. It will help us to:

- Meet the requirements of the Disability Discrimination Act
- Set out our plans to improve disability access to services and employment
- Make sure that we involve disabled people when we design or deliver services.
- Make access improvements and develop policies
- Continuously monitor and improve the ways in which we deliver services to disabled people

Disability discrimination occurs because barriers hinder disabled people from taking a full part in the community. This Disability Equality Scheme clarifies

Ashford Borough Council's approach to eliminating disability discrimination. It is important that all of our staff implement the same approach and common understanding. This Scheme outlines the work that will be needed to develop this, along with our approach to customer care and service provision.

Ashford Borough Council already recognises that promoting equality improves public services for everyone. Equality for all is an integral part of the Council's working practices, and the duty to actively promote disability equality will also be incorporated throughout the organisation in the same manner.

The DES also reinforces the Council existing policy commitment, which is:

"Ashford Borough Council will, where practicable, take all reasonable measures to make all its buildings and amenities, which are open to the public, accessible to all. We will also seek to influence and encourage owners of commercial and retail buildings to do likewise.

Furthermore, we are keen:

- To ensure that access needs of disabled people are met
- To encourage local providers of goods and services to meet the needs of disabled people
- To provide advice to businesses and others in meeting the requirements of the Disability Discrimination Act."

### **What the Disability Discrimination Act means by disability**

Disability is defined as:

'A physical or mental impairment, which has a substantial and long term adverse effect on a person's ability to carry out normal day to day activities'. Day to day activities should be taken to mean normal activities carried out by most people on a regular basis.

### **3 Disabled people**

The definition of disabled people in the Act is a broad term, covering a wide variety of disabilities and concentrates on a medical model of disability. The Equality and Human Rights Commission (EHRC), which subsumed the former Disability Rights Commission, proposes that the definition should be changed to one which gives protection from discrimination to everyone who has (or has had, or is perceived to have) an impairment. There would be no requirement, as there is currently, that the effects of impairment are substantial and long term. The EHRC believes that there would be strong benefits from such change, including a simpler, more certain approach for identifying who has protection; producing a more positive and systemic approach to change; and bringing the law into alignment with best practice. This logic follows the social model of disability, discussed in more detail overleaf.

Public authorities must remember that people who meet the definition of disabled people are protected whether or not they themselves might consider themselves to be disabled.

The underpinning principle of the Act, as stated previously, is the need to take steps to take into account disabled people's disabilities, even where that involves treating disabled people more favourably than other people.

The term "due regard" as referred to in the Duty comprises two linked elements: proportionality and relevance. In all decisions and functions public authorities must give due weight to the need to promote disability equality in proportion to its relevance. Public authorities must take care when assessing relevance as many functions are likely to be of relevance to disabled people. Proportionality requires greater consideration to be given to disability equality in relation to functions or policies that have the most effect on disabled people. It will not always be possible to adopt the best option to promote disability equality, but due regard must be given to the requirement to promote disability equality alongside other competing requirements.

## **4 The Social Model of Disability**

The Disability Equality Scheme produced by Ashford Borough Council has at its heart the principles of the Social Model philosophy, which says that disability is defined, not by the nature of an individual's impairment but by the physical, social and attitudinal barriers that disable them. To this end, everyone, disabled people and nondisabled people alike, have a shared responsibility to recognise and act to remove the sources of institutional and societal discrimination against disabled people for the benefit of society as a whole.

The social model also supports the notion that impairments, in whatever form, should be accepted by society as a normal part of the human condition, and that the strength that comes from the diversity of impairment needs should be recognised and embraced.

We want disabled people living and working in the Borough to be equal, empowered and represented at all levels. We support the social model of disability because we support the ambitions of disabled people to have the same choices and opportunities to fulfil their potential as everyone else and to exercise control over their own lives.

By adopting the Social Model of disability, Ashford Borough Council will ensure that respect and equality for disabled people is at the core of our activities and embedded in our organisational culture.

## 5 Ashford's disabled population

The Department for Work and Pensions (DWP) observes that there is no single or standard measure or estimate of disability. Equalities monitoring of disabled people using the Disability Discrimination Act definition, is not widely carried out, so we must rely on indicative data. It is important to develop a clear picture in Ashford in order to establish a baseline in terms of current performance and to be able to set meaningful, challenging, but realistic performance improvement targets. Some indicative statistics are outlined below.

Disability – UK, South East and Ashford as per the 2001 census:

	England	South East	Ashford
Population	49,138,831	8,000,645	102,661
Number of Disabled People	8,809,194	1,237,399	16,528
% of Disabled People	17.93%	15.47%	16.1%

### 5.1 Ashford's staff

As at the end of December 2005, Ashford Borough Council had 13 staff with an impairment, and this equates to 2.76% of the workforce. This is relatively low in comparison with the population of the Borough.

## **6 Consultation**

The Centre for Independent Living in Kent (CILK) has been consulted over this DES. Their advice has been invaluable in compiling the DES and their comments have been incorporated. The continuing involvement of disabled people and staff is required and is critical to the success of this Disability Equality Scheme and, therefore, this will be an ongoing activity. The Council has a Disability Equality Strategy specific to staff and that should be read in conjunction with this DES.

## 7 Action Plan

This Disability Equality Scheme Action plan is based on eight core areas, which are:

1. Understanding the Borough's needs
2. Policies, Strategies and Functions
3. Implementation and Promotion
4. Employment Responsibilities
5. Monitoring performance change
6. Reporting and Publicity
7. Access to Services
8. Disability Equality training for staff and Members

<b>1. Understanding the Borough's Needs</b>		
Objective	Action	Timescale
To find out about our Borough, the needs of all our residents and particularly the needs of disabled people.	1. Identify individuals and groups with disabilities who are willing to participate at interactive workshops	January/February 2008
	2. From the outcome of point 1, develop a consultation group for disability issues, including both disabled residents and disabled staff.	April 2008

<b>2. Policies, Strategies and Functions</b>		
Objective	Action	Timescale
Ensure that policies meet statutory as well as local requirements, and that these requirements are addressed by Services.	1. Develop an initial screening and in-depth analysis tool.	March 2008
	2. Screening process piloted	April 2008
	3. Screening of frontline services rolled out through customer care programme.	June 2008
	4. Services conduct initial screening of all their policies, strategies and functions, highlighting any areas of concern, and signing off everything that meets Disability Equality Standards.	July to September 2008
	5. In-depth assessment of any policies, strategies and functions that do not meet Disability Equality Standards to incorporate consultation where appropriate. This process can be conducted with the assistance of the Equality working group where applicable.	To commence on completion of step 4
	6. Develop a statement to be attached to all policies, strategies, contracts and other documents showing that the DES has been considered and direct consultation has occurred with disabled groups with the appropriate expertise.	To be developed as part of the review of the information on report front sheets. Review to be complete by January 2008
	7. Attach copies of a disability impact assessment to all assessed policies, strategies and functions, identifying key risks and mitigating actions.	To commence after completion of step 6

<b>2. Policies, Strategies and Functions</b>		
Objective	Action	Timescale
Incorporation of Disability Equality Scheme considerations within corporate service planning, service procedures and all decision making.	1. Embed this objective into working practices.	To commence with 2008/09 service planning process
	2. Amend corporate and service plan templates.	To be incorporated in 2008/09 Service Plans.
Incorporate Disability Equality Scheme and considerations in to procurement strategy and Council contracts, in particular ensuring inclusivity.	1. Change the wording in standard contracts to incorporate disability equalities.	Current wording to be reviewed after Executive approval of DES
	2. Develop a guidance document.	To be developed following formation of the Equalities Working Group

<b>3. Implementation and Promotion</b>		
Objective	Action	Timescale
Disability Equality Scheme adopted	1. Policy Approved by MT	November 2007
	2. Policy approved by Executive	6 <sup>th</sup> December 2007
	3. Policy approved by Council.	13 <sup>th</sup> December 2007
To implement the Disability Equality Scheme	1. Involvement of disabled groups with the appropriate expertise.	Already carried out in the development of the DES.
	2. Scheme published on the Internet.	Immediately following Executive approval.
	3. Scheme publicised to staff and members through the intranet.	Immediately following Executive approval.
	4. Scheme publicised to community, via press release and launch.	Immediately following Executive approval.
Staff guidelines produced on specific needs of disabled people across Ashford Borough	1. Compilation of information available within the Council on customer care and service needs. Production of guidelines for staff	January/February 2008
Promote disability equality and opportunity	1. Work with disability groups to effectively promote disability equality	Ongoing

<b>4. Employment Responsibilities</b>		
Objective	Action	Timescale
Ensure that employment policies positively promote disability.	1. Review and up date staff handbook to include the social model of disability.	Already completed.
	2. Survey staff.	Undertaken October/ November 2008
	3. Form a disability consultation group of disabled staff.	January 2008
	4. Ensure disabled staff receive disability equality training.	Programme to be developed following Executive approval.
Quarterly employment monitoring	1. Report on, and analyse statistical information. Address any adverse trends and issues that may become apparent.	Through 'Star Chamber' process.
Recruitment practices	1. Disability impact assessment of recruitment procedures.	To commence following Executive approval of DES
	2. Review approaches that actively encourage disabled people to apply for jobs within the council.	To follow on from step 1

<b>5. Monitoring Performance Change</b>		
Objective	Action	Timescale
To monitor the implementation of the Disability Equality Scheme.	1. Baseline data to be collected through work with disability groups and benchmark partners.	To commence after Executive approval of the DES
	2. Measurable and realistic targets to be set following Interactive workshops with disability groups with the appropriate expertise.	To follow on from step 1
To monitor the running of the Disability Equality Scheme and ensure address any adverse impact	1. Quarterly monitoring of targets through development of existing Performance Monitoring routines. Report on, and analyse statistical information. Address any adverse trends and issues that may become apparent.	Ongoing through 'Star Chamber' process
	2. Review of outcomes by the Equalities Working Group.	Establish a Working Group following Executive approval.
	3. Annual reporting of Disability Equality Scheme, progress and issues.	First report December 2008.
	4. Review the scheme every three years	Review to Executive December 2010.
Involve disabled people with suitable knowledge and experience in monitoring the Council's progress against its actions in the Disability Equality Scheme	1. Construct web page on intranet and Internet for disability equality issues.	To commence April 2008
	2. Recruit disabled people for user groups.	To be completed following establishment of user group
	3. Ensure that the Council maintains a proactive approach to disability equality.	Ongoing

## 5. Monitoring Performance Change

Objective	Action	Timescale
Risk based monitoring of service delivery actions, procedures and decision making, including Partners and Contractors.	1. Review impact assessments including key risks, to identify high impact areas for follow up examination.	To be undertaken at the next review of corporate risks
	2. Notify existing suppliers of their responsibilities, and draw their attention to procurement guidance.	To be carried out immediately following Executive approval of DES
	3. Send out questionnaires to all suppliers where spend is over £50k, and 10% of suppliers under £50K.	To be carried out immediately following Executive approval of DES

<b>6. Access to Services</b>		
Objective	Action	Timescale
Further Develop user consultation groups at Service level to include disabled customers.	1. Develop existing Service user groups and identify barriers to accessing Council services	To be undertaken following establishment of Equalities Working Group
	2. Form new user groups within services where none exist (if relevant)	To be assessed by Equalities Working Group
	3. Report and share findings, via website and any other available methods.	Timescale to be confirmed by Equalities Working Group
Continue to comply with all appropriate legislative requirements relating to building accessibility in respect of all Council property.	1. Continue existing programme of maintenance for all Council buildings	Ongoing
	2. Report on progress for monitoring purposes.	Via Quarterly BVPI for DES
Continue to monitor progress against BV156, whilst at the same time remaining aware of limitations in respect of listed buildings.	1. Ensure DDA 2005 compliance to ensure access for people across the range of impairments and long-term illnesses. Our high number of listed buildings restricts 100% compliance. The on-going programme of council building access improvement will continue.	Ongoing
Ensure e-government programme is continued within the organisation	1. Continue to monitor and report progress quarterly	Ongoing

<b>7. Training for staff and Members</b>		
Objective	Action	Timescale
Guidelines for the Scheme.	1. Develop guidance manuals for staff. Publish in hard copy and through new disability issues web page. Make sure that contacts details are well publicised for advice.	To be developed through the Equalities Working Group – timescale to be established.
	2. Develop guidelines for services to follow in producing accessible information	Initial guidance to be produced by December 2007 and reviewed by Equalities Working Group
Training	1. HR to source appropriate and effective disability equality training, to promote equality and diversity in Service Delivery.	To be carried out immediately following Executive approval of DES
	2. Ensure members are offered equality and diversity training.	To be carried out immediately following Executive approval of DES
Incorporate the requirements of the Disability Equality Scheme into current training programmes	1. Ensure trainers (external and internal) include where appropriate disability equality training	To be carried out immediately following Executive approval of DES
	2. Develop an evaluation system.	To be considered by the Equalities Working Group – timescale to be advised
To provide information in accessible format	1. Ensure through disability equality training and consultation, that staff are aware of procedures to accommodate people with varying accessibility needs.	Guidance to be produced immediately following Executive approval of DES and reviewed by Equalities Working Group