

The Disability Equality Duty and Wealden District Council: a report on a project completed by East Sussex Disability Association for Wealden District Council

EXECUTIVE SUMMARY

'The Disability Equality Duty is a new way for public authorities to tackle disability discrimination in a practical way by introducing policies that actively promote opportunities and so prevent discrimination taking place. By taking an organisation-wide approach you can achieve tangible outcomes and improvements for disabled people'. Bert Massie, Chair, Disability Rights Commission, 2005.

Wealden District Council has demonstrated by this project that it is taking seriously the need to implement the update to the Disability Discrimination Act (DDA), the new Disability Equality Duty (DED) for all public authorities.

Wealden District Council commissioned East Sussex Disability Association (ESDA), a leading local organisation of disabled people, to carry out an investigation into how disabled people view Wealden District Council as a service provider and a potential employer.

The recommendations in the project report apply to every single member of staff working for Wealden District Council in every department and in every location. Disability Equality is not an optional extra to be dealt with solely by equalities staff but a logical, fair and inclusive philosophy as well as a legal requirement for the Council as a whole and for individuals working at all levels within the Council. It also follows on from previous successful work by Wealden District Council in seeking to eradicate discrimination against other "minority" groups and represents further progress towards developing an inclusive organisational culture that seeks to remove institutional discrimination.

A key recommendation in the report is to adopt the Social Model of disability:

"A Social Model approach states that people with impairments are disabled by physical and social barriers. The 'problem' of disability results from social structures and attitudes, rather than from a

person's impairment or medical condition. This approach has influenced a rights based view of equality for disabled people and represents the key to understanding and implementing the Disability Equality Duty, the aim of which is to understand and dismantle the barriers which exclude and limit the life chances of disabled people". **Disability Rights Commission, 2006**

Over 400 disabled people contributed their views on Wealden District Council in one or more of three ways; questionnaire, focus group, one-to-one interviews. While there was a strong message from the consultation process that WDC staff should not make assumptions or patronise people, in general there was a positive feeling that WDC were actively seeking the views of disabled people, and also that many Wealden residents had received a good service from WDC. Participants were forthcoming with their views and experiences, both positive:

"I have been very well treated by Wealden Council when I was able to go to the offices and now that I cannot get around much, I have to phone them. I still get very well treated I cannot fault them in any way"

"I find if there is a problem with the flat, or anything to do with my disability... or my benefits, I find Wealden Council to be very helpful"

and negative, covering a variety of issues such as transport, adaptations and attitudes:

"Make it possible for all residents of Wealden District to get out into the community, not just the privileged few!"

"Ramp access to improve mobility has been delayed"

"I can't talk over the phone as I'm hard of hearing and need to look at who I am talking to. A couple of times the person behind the desk doesn't understand and has a bad attitude to me"

In conclusion:

“Treat them (disabled people) as complete people with equal rights, the right to live as normally as anyone else and respond when needed, instead of thinking or rather treated like a minority.”

The following table illustrates the key issues raised, with a ranking, although a “low” ranking does not reflect lack of importance, simply the frequency with which the issue was raised.

Issue	Level of importance	Evidence	Recommendations
Attitudes/ Disability Equality Training	High	Questionnaire Focus group Interviews	8,9,10,11,13,14,15, 16,17,18,20,24,25, 26,51.
Transport And parking	High	Questionnaire Focus group Interviews	32,37,38,39,40
Information in a range of formats	High	Questionnaire Interviews	1,21,22,23,26,56
Access improvements in community	High	Questionnaire Focus group Interviews	32,33,34,35,36,50
Information provision	High	Questionnaire Focus group Interviews	1,24,28,49,52,56
Employing disabled people at WDC	Medium	Questionnaire Focus group Interviews	20,57,58,59,60,61, 62,63,64
Policies and procedures	Medium	Questionnaire Focus group Interviews	4,7,9,10,19,47,48, 53,54,55
Engaging with disabled people in community	Medium	Questionnaire	1,2,3,4,5,6,20,27,29, 30,31,33,45,56
Training in effects of impairments	Low	Questionnaire Focus group	12,18
Accessibility of Council buildings	Low	Questionnaire Interviews	41,42,43,44

8. RECOMMENDATIONS

8.1.1 Recommendations are aimed at encouraging the removal or alteration of institutional structures, cultures and processes that discriminate against disabled people within Wealden.

8.1.2 The recommendations are ordered as far as is possible to reflect the priorities of disabled people involved in this process, with the first three aimed at ensuring a continued dialogue between disabled people and WDC.

8.2. Providing feedback and maintaining contact

1. Plan ways of publicising this report to all those who took part in the information gathering process by, for example, putting the executive summary on the website and also disseminating it to local community groups such as ESDA, and ensuring that it is in a range of formats, including Word (to enable use of text to speech software).

2. Ensure that consultation with disabled people is not perceived as “political correctness” but as a fundamental objective that will initiate real change, with disabled people driving that change forward.

3. Be aware that some disabled people can feel anxious about attending meetings of any kind (for example, if they have mental or emotional health issues), so it is necessary that engagement with disabled people is maintained in a variety of ways.

4. Develop a process for maintaining a dialogue with disabled people who demonstrated an interest through this survey (the reference group of disabled people) as well as setting up regular meetings basis as well as when reviewing all policies & practices (not just those focusing on disability issues).

5. Develop relationships with key generic disability organisations within Wealden to help facilitate dialogues with disabled people.

6. Use free newspapers/ community magazines to advertise consultation groups and meetings to ensure maximum readership.

7. Ensure a sufficient and formalised budget is available to support the timely implementation of the recommendations

8.3. Behaviour and attitudes

8. Formally and publicly adopt the Social Model of Disability as a commitment to amending or removing institutional structures and policies that discriminate against disabled people. Ensure that the Council embraces the Social Model of Disability in its services, information and employment.

9. Further, ensure that the definition of the Social Model, and what this means in practice, is included in WDC's Equal Opportunities Policy.

10. Cultural and institutional change to be led visibly by senior Council management.

11. All Council staff at all levels to receive disability equality training, delivered by skilled disabled people, with a priority for reception and front line staff.

12. Extend the number of Council staff with skills in communicating with D/deaf people, e.g. all frontline staff to receive training in BSL.

13. Disability equality training, delivered by skilled disabled people, to be part of induction training for all new staff.

14. All Council staff at all levels to receive information and guidance covering disability equality issues.

15. All new council staff to receive information and guidance covering disability equality issues in their induction process.

16. Listening and empowering skills to be included in training.

17. Make clear to all within WDC the importance of setting a good example in their general conduct and with disabled people.

18. Set standard processes for finding out what access needs someone has, which should be applied to all situations – in an inclusive way that does not single out disabled people; rather than

asking “What’s wrong with you?” ask, for example, “Do you need any particular support? What access requirements do you have?”, e.g. level access, BSL Interpreter etc.

19. WDC’s commitment to inclusion reflected in performance; ensure Equality and Diversity issues are reflected in competencies and Individual Performance Plans to include measures of performance on diversity.

20. Appoint a Disability Officer – this could be part of a generic Equal Opportunities post - with a dedicated telephone line/fax/email address, as a first point of contact, who would also be responsible for:

- a. developing and maintaining links between disabled people in the community and WDC
- b. keeping up to date with relevant legislation and other developments
- c. developing training strategies and programmes to ensure disability equality is embedded in all staff training
- d. commissioning disability equality training for all staff
- e. ensuring the sustainability of the initiative
- f. dealing with the day-to-day issues of disabled residents; this may involve signposting to the appropriate person

This potentially generic Equal Opportunities role would incorporate an element of advocacy work, with the Officer in post dealing with disability issues (as outlined above), and other issues regarding minority groups, e.g. BME, LGBT etc.

8.4. Communication and information

21. Have a range of well-advertised ways to contact WDC to include both voice telephone and textphone, email, fax, mobile phone, including SMS text. This should include complaints procedures, with alternatives to written complaints being available.

22. Provide information and forms in jargon-free plain English (with pictures to supplement text as necessary), without acronyms, and have some alternative formats available, as well as the means to transcribe into Braille, and other languages as necessary.

23. Improving the accessibility of the WDC website should be an ongoing priority.

24. Introduce the barrier free call routing guidelines designed by the Employer's Forum on Disability (see Appendix 6).

25. Train those receiving calls to ask the right questions and to be patient with those who take longer than average.

26. For people who are unable to fill in forms due to impairment issues, consider alternatives, for example, going through the form with them and writing as people dictate their answers. It would be useful to link with local advocacy groups for this service as well.

27. Information on accessibility of local services also needs to be integrated into existing information sources where possible.

28. Ensure that disabled people are consulted with in the planning of new buildings and services.

8.5. Contact with the community

29. Make and maintain links with organisations of disabled people, including local groups and access groups.

30. It is fundamental that the views of disabled people are heard and acted upon in the development of services which affect them and that disabled people are confident that this happens.

31. Corporate research with disabled people in Wealden to gauge current opinion about local issues; the reference group will be a good starting point.

8.6. Physical access to community

32. In partnership with the County Council and other relevant agencies, make improvements as necessary to:

- Street lighting
- The general condition of pavements
- Parking
- Signs encouraging drivers to slow down for pedestrians
- More speed limits on busy roads

33. This list is not exhaustive; it is imperative that access within the community for disabled people is an ongoing priority, with regular consultation with local disability groups and the reference group about further access improvements. A timetable should be made for the implementations.

34. It is important to note that improvements to access actually make things easier for everyone, for example, people with pushchairs, heavy shopping etc., and clear signs also improve access for everyone.

35. In the instances where residents do not have enough time to cross pedestrian crossings before the audible and visual signals stop, liaise with relevant organisations (for example County Council/ the Highways Agency) to try and increase the timings.

36. To make it easier for disabled people to plan their journey, a map of where accessible public toilets are located should be disseminated on the website and via community groups.

8.7. Transport and parking

37. Disabled people often need to plan further in advance and need more knowledge and security that all 'links in a chain' are complete before using a service.

38. Issue maps with locations of blue badge spaces to Council staff and disseminate the same map to people in their Council Tax bill, and display information on community notice boards.

39. Review current public transport routes, and in partnership with relevant agencies and the reference group, identify where the biggest need is for accessible transport and formalise plans and funding for implementation.

40. Publishing a map with current accessible bus routes would be beneficial as a first stage process – this map should then be disseminated to community groups and on the website.

8.8. Access to Council buildings

41. To make the Council's buildings more accessible to disabled people and to increase their ease of use for both customers and employees
42. Carry out access audits of all WDC buildings
43. Set standard for access to be met by set deadline
44. As part of a corporate social responsibility, WDC should advertise accessible facilities that they currently have and share them (for example a meeting room with an induction loop).

8.9. Housing and adaptations

45. Ensure that the needs and requirements of disabled people are considered when arranging housing and adaptations.
46. Maintain communication with residents at different stages of housing, adaptations (and equipment) applications so that people are aware of what stage the process is at.
47. Clear policies, procedures and information about housing, adaptations, equipment and funding to be available in different formats.

9.1. Refuse collection and recycling

48. Ensure that there is a clear method of communicating to refuse collectors which residents are covered by the provision granted to those who are unable to place the wheelie bin out at the boundary of their property for collection.
49. Publish clear, jargon-free guidelines about what can be recycled and what cannot.
50. Review accessibility of the refuse tip, for example are there enough accessible parking bays? Are staff available to help where necessary?
51. Waste management supervisors should receive disability equality training.

52. Ensure that people are aware of how incontinence pads should be disposed of, for example clinical waste/ household waste. The frequency of the collection of incontinence pads should also be assessed.

9.2. Reporting complaints

53. Report harassment and discrimination of disabled people

54. Ensure current WDC systems report impairment-related incidents.

55. Ensure that the views of disabled people are recorded, understood and acted upon:

- Complaint reporting forms to ask if complainant is a disabled person
- Annual complaints monitoring report to include summary data
- Ensure that action is taken to improve barriers identified by complaints

56. Be clear about how people can make a complaint about WDC staff or services, and offer alternative ways of communicating that complaint, for example, not just written complaints.

9.3. WDC and Employment

57. Seek to increase the recruitment and retention of disabled employees in WDC.

58. Draw up procedures to encourage work placements for disabled people.

59. Work with organisations that offer supported employment and with Jobcentre Plus to find most effective ways to secure employment for disabled people.

60. More information should be given to job applicants in both the application pack and at interview about access and equality of opportunity for WDC employees.

61. Employment terms, job descriptions and person specifications should be more flexible to encourage disabled people into work.

62. Regarding the use of the Two Ticks “Positive About Disability” symbol:

- Are all 5 commitments being addressed?
- Are short-listing panels aware at the time of short-listing that the applicant is a disabled person or a Job Interview Guarantee Scheme applicant? This may, consciously or subconsciously, lead them to looking at the essential criteria more stringently?

63. Detailed data will need to be collected covering:

- Job applications received applying
- Applicants being short-listed
- Successfully recruited staff
- Retention rates

(with all of these there is a need to compare disabled and non-disabled people’s percentage rates)

64. Ensure that managers and employees on interview panels are trained in the importance and practicalities of making ‘reasonable adjustments’, as well as having knowledge about Access to Work.

9.4. Areas needing further investigation

9.4.1. Carry out further work with people who have mental health issues and/or, learning difficulties, communication impairments and other particularly challenging issues.

9.4.2. Carry out further work with younger people within Wealden District to ensure that their needs are also being met.

9.4.3. Ensure that engagement with disabled employees of WDC is part of the next step to further identify barriers and solutions.

9.5. Conclusion

To conclude, developing a culture of self examination by WDC staff is fundamental; instead of trying to fit the customer to the service, fit the service around the customer by asking “is there another/better way...?”