



**Vale of Glamorgan Council
Disability Equality Scheme
2010-2013**

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Foreword from the Cabinet Member for Human Resources and Equalities

Disabled people account for nearly 20% of the Vale of Glamorgan's population. According to the 2001 census 19.8% of people in the Vale of Glamorgan declared they have a limiting long-term illness which limits their daily activities or the work they can do, including problems that are due to old age.

The Council is committed to the promotion of equality of opportunity and the removal of barriers that disadvantage disabled people. In working towards this commitment the Council aims to identify and remove discriminatory practices in employment and service delivery and to address the under-representation of minority groups within the workplace. We also want to ensure that service provision takes account of the diverse needs of the community. We understand that in some cases different approaches and methods will be required to achieve equality of outcome.

As a Council we have adopted the social model of disability, which states that the social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions but stems from attitudinal or environmental barriers.

The Council's first Disability Equality Scheme was published in 2006 after extensive consultation with disabled people and included a detailed action plan. The majority of these actions have been achieved. Any outstanding actions have been incorporated into the attached revised action plan.

Consultation took place throughout 2009 and involved a task-and-finish steering group chaired by Cardiff and Vale Coalition of Disabled People. A series of focus groups was also held involving disabled residents.

The information obtained has been included in this scheme which we see not only as fulfilling our legislative requirements but acting as one of the cornerstones of our equality commitment and the basis for a new Single Equalities Scheme to be produced in 2010.

Councillor Janice Charles Cabinet Member for Human Resources and Equalities	
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What is a Disability Equality Scheme?

1. A Disability Equality Scheme is a strategy for making employment and services more accessible to people who are or become disabled. It outlines the Council's overall equality vision and specific approach to disability equality, and it is accompanied by a realistic and achievable action plan.

Legal Context

2. New duties relating to disability equality came into effect through the development of the Disability Discrimination Act 2005. It meant that public bodies must 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.
 - take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons (for example the provision of an accessible parking bay near a building, where parking is not available for other visitors or employees).
3. The specific duties require all listed public bodies to publish a disability equality scheme, demonstrating how they intend to fulfil their general and specific duties. Public bodies should involve disabled people in the development of the scheme, implement the action plan set out in the scheme, and review and revise the scheme every three years.
4. The scheme should include:
 - information about how disabled people have been involved in its development;
 - the Council's methods for undertaking impact assessments;
 - an action plan setting out the steps it will take to meet the general duty;
 - arrangements for gathering information on the effect of the authority's policies and practices on disabled people;
 - arrangements for using this information, including reviewing the effectiveness of the action plan and preparing subsequent disability equality schemes.
5. Public bodies should report annually on the steps taken in the action plan, the results of their information gathering and how this information has been used.

Purpose of the Scheme

6. The purpose of developing a scheme is to identify ways in which disability discrimination can be eliminated and to be proactive in promoting disability equality. It is not necessarily about changes to buildings or adjustments for individuals. It is about being able to demonstrate positive cultural change. This means involving and empowering disabled people to ensure that disability equality is an integral part of the Council's ethos and decision-making process, together with the promotion of disability equality in the wider community.
7. Disabled people have been involved in extensive consultations that have taken place in the composition of this scheme. Consultation meetings, facilitated by Cardiff and Vale Coalition of Disabled People, were convened to discuss such topics as transport, communications, access to Council buildings and other corporate issues. These meetings were followed by public consultation events held at various venues throughout the Vale of Glamorgan. The issues raised during this consultation have informed the associated actions contained within this schemes action plan.
8. The Council has adopted of the Social Model of Disability; we assess the equality impact of all of our relevant policies and practices; we ensure that equality is taken into consideration in all reports to Cabinet; and we collect a range of relevant data.
9. We promote disability equality by various other means: through our Vale Equality Scheme (which includes various requirements to improve the provision of services in all areas for disabled people), by our support of the Two Ticks scheme (that guarantees an interview to any disabled job candidate who meets the essential criteria for a job vacancy), and by ensuring that disability equality considerations are taken into account in the awarding of tenders for goods or services.

Enforcement

10. The general and specific duties came into force on 4 December 2006. The Equality and Human Rights Commission (EHRC) provides a wide range of information for public agencies. They play a key role in enforcing the duties. The general duty can be enforced via a judicial review (via the High Court and Court of Session) but the specific duties are enforced through a compliance notice issued by the EHRC.
11. The general duty does not create individual rights for disabled people. However, a breach of the general duty can be the subject of a claim for judicial review of a public authority's action (or inaction). If the specific duties are not met, the EHRC can take enforcement action.

Defining Disability

12. As an employer and service provider we recognise our duties and obligations as defined by the Disability Discrimination Act. Broadly speaking there are five main impairment groups:

- mobility / physical impairment
 - visual impairment
 - hearing impairment
 - learning difficulties
 - mental health issues
13. We acknowledge that some people do not like to identify themselves as being disabled, and that some disabled people are affected by multi-discrimination. The Disability Discrimination Act 1995 defines disability as follows:
- “A person has a disability if he or she has a physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.”
14. The inclusion of this definition replaced the requirement to register as disabled, which no longer exists. This means that a person will no longer be ‘registered disabled’.
15. The Disability Discrimination Act 2005 expanded on this new definition. Under the legislation anyone who has HIV, cancer or multiple sclerosis will be identified as disabled from the point of diagnosis. People with a progressive condition which is likely to change or develop over time will also be included from the time the impairment has some effect on their ability to carry out normal day to day activities, if the impairment is likely to develop to have a substantial adverse effect. For example if someone develops a serious visual impairment that is likely to develop over time (such as glaucoma) they will be considered disabled at the point that the impairment has some effect as it will later have a substantial effect on day-to-day activities.

The Social Model of Disability Definition

16. The Social Model of Disability defines disability as:
- “The disadvantage or restriction of activity caused by a contemporary social organisation which takes little or no account of people who have impairments and thus excludes them from the mainstream of society.”
- The British Council of Organisations of Disabled People (BCODP)*
17. In the early 1970s, disabled people separated the concept of ‘impairment’ from that of ‘disability’. An impairment belonged to the individual, e.g. a medical condition; and ‘disability’ being the disabling environment. Poverty, disadvantage and social exclusion experienced by disabled people are not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers. The social model views the environment as the disabling factor hindering social inclusion for disabled people.

Self Identification

18. Some people do not wish to identify themselves as being disabled. This is likely to occur with older people but also many people do not identify themselves as being disabled after a diagnosis, an accident or with the progression of a medical condition. This recognition may occur over time, and is a process involving recognition of external barriers imposed by society.
19. Not everyone with impairment is disabled. For example, someone with a visual impairment that can be corrected by wearing glasses would not be disabled.

Multi discrimination

20. Some disabled people face multi discrimination because of their gender, their race or nationality, their age or sexuality. The life experiences of disabled people, including income levels, educational achievement, confidence and self-esteem levels will vary.

The Vale of Glamorgan Council Corporate Priorities

21. The Council's Corporate Plan outlines the vision and priorities for the Council. There are 6 high-level priorities:

Community Leadership

To work with partners from the voluntary, public, private and other sectors to deliver the shared vision for the future of the Vale and to ensure a co-ordinated approach to realising that vision.

Lifelong Learning

To provide high quality, accessible learning opportunities which meet the needs of learners of all ages to develop and promote a culture of lifelong learning for all.

Community Well Being

To make the Vale a safe, healthy and enjoyable place in which individuals, children and families can live their lives to the full.

The Environment

To achieve a quality environment through promotion and use of sustainable practices, and by making the best use of current and future resources.

Regeneration

To encourage the development of a diversified and sustainable community and to work in partnership with others to promote regeneration and economic development.

Corporate Resources

To manage the Council's workforce, money and assets efficiently and effectively in order to maximise its ability to achieve its service aims.

22. The Disability Equality Scheme, together with the Welsh Language Scheme, Gender Scheme and Race Equality Scheme will assist with the equitable delivery of the Corporate Plan.
23. A new Single Equality Scheme which will be developed in 2010 will draw together all the equalities strands.

The Equalities Team

24. The Equalities Team has a role of developing of a Council-wide framework to eliminate unfair discrimination and remove barriers to employment and service delivery. This work covers discrimination on the grounds of:
 - gender
 - disability
 - race
 - religious belief
 - sexual orientation
 - Welsh language
 - age
25. The team is responsible for the developing key policies and projects, monitoring associated action plans and training for staff on equality awareness.

Equality Impact Assessments

26. The Council has a duty to consider the needs and requirements of the community and staff who are affected by our policies and procedures. The equality impact assessment process was developed to ensure that relevant individuals and groups are neither directly or indirectly discriminated against in the planning, delivery and business of the Council, in compliance with relevant legislation and good practice. Training on completing assessments has been provided to managers and staff. Assessments are undertaken by service managers of key policies with advice from the Equalities Team. We publish these impact assessments on our website.
27. The Equalities Team has developed an impact assessment questionnaire and guidelines, which is included on our website. This tool has been used to carry out impact assessments on the issue of race, disability, gender, age, religion and belief, sexual orientation and Welsh language. The tool is further used as part of the development of relevant new and revised policies in order to consider equality implications as part of the development process.
28. Structures and mechanisms are in place to ensure proper consideration, monitoring and review of the assessments made and actions suggested.

The Corporate Equalities Working Group

29. The Corporate Equalities Working Group comprises senior managers representing all directorates who meet regularly to share good practice and to ensure that equalities actions are implemented within their service areas, as well as to provide valuable feedback to the Equalities Team.

The Equalities Consultative Forum

30. The Equalities Consultative Forum meets quarterly and includes representatives from key organisations including the Police, Race Equality First, Cardiff and Vale Coalition of Disabled People, older people's groups and Vale Council for Voluntary Services among others. The group is chaired by the Cabinet Member for Human Resources and Equalities and is attended by other elected members. The purpose of the forum is to focus on equalities initiatives undertaken by the council and to provide feedback and help with the development of policies.

Mainstreaming Equality

31. The Vale Equality Scheme was developed in 2007 to enable targets to be mainstreamed in departmental business plans and to promote the continuous improvement of equalities practices across all directorates.
32. When producing annual business plans, all sections of the Council include the requirement to meet the standards of the scheme and report on performance quarterly to scrutiny committees. Evidence of practical measures to promote equality must be provided in areas such as leadership, communication, consultation and monitoring, access to services, language, and employment and training.

Procurement

33. The procurement process plays an important role in ensuring that our policies and practices are not undermined or compromised by engaging suppliers who do not share our values and commitment to achieve the general duty.
34. In support of this, our Procurement Strategy includes an undertaking to support equalities legislation. We have standard procurement documentation that specifically introduces equalities and requires relevant response from potential suppliers. For example, our standard pre-qualification questionnaire (PQQ) requires potential bidders to confirm that they comply with equality legislation and to show an appropriate understanding and revision where there has been an historical lack of compliance. We have issued procurement guidance, which advises staff of equalities considerations that should be made when making a purchase.
35. The Council's audit team has produced a report with recommendations which outline the required equalities considerations at the outset of procurement. Service specifications and terms and conditions are being

developed to reflect the Council's commitment to equalities legislation. Key contracts will be reviewed on an annual basis.

Complaints & Compliments

36. When a member of the public believes that they have been directly affected by a failure of the Council to comply with the statutory requirements of this Scheme, they should bring it to the attention of : Nicola Hinton/Linda Brown, Corporate Equalities Officers, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry. CF63 4RU. Tel. 01446 709803;Email: LJBrown@valeofglamorgan.gov.uk / NHinton@valeofglamorgan.gov.uk
37. In the case of a complaint regarding service delivery the Council has a 3 stage complaint process. An initial complaint (which can be made in person, by telephone, in writing or by fax or Email) will be dealt with under Stage 1 and the complainant will receive a response in 10 working days. If they are not satisfied with the response they can proceed to Stage 2 by placing their complaint in writing to a senior manager responsible for the service. If they are unable to do this they can contact the Equalities Team for assistance. They will receive a response in 20 working days. If they are still dissatisfied the complaint will be reviewed by an independent senior officer in Stage 3 of the process.
38. All complaints made in respect of this Scheme will be monitored and used to inform relevant impact assessments and subsequent reviews. Where a complaint relates to the actions of an individual member of staff rather than a policy, this will be dealt with in accordance with the relevant internal procedures, which may include disciplinary action.

The Involvement and Development Process

39. Cardiff & Vale of Coalition of Disabled People was contracted to review the Council's previous Disability Equality Scheme and to identify additional issues and solutions relating to services and employment. A Disability Equality Steering Group was formed and met throughout 2009 in order to review what had been achieved and where outstanding issues remained.
40. We also consulted directly with disabled people in the community, in a series of focus groups held in various venues throughout the Vale and consulted with our disabled employees by means of a detailed questionnaire. Feedback received from the focus groups and from the general public is available on our website.

Employment

41. As employers, the Council aims to
 - increase, retain and develop the number of disabled people we employ;
 - promote the social model of disability so there is an attitudinal and cultural change regarding disability.

Recruitment

42. All vacancies are advertised internally and, depending on the market expectation and specialist nature of the post, may be advertised concurrently both internally and externally. This includes advertising vacancies with Job Centre Plus, the Western Mail or South Wales Echo and specialist magazines. Job adverts, upon request, are sent to local voluntary and disability groups. We use the Jobcentre Plus two tick symbol on all job adverts and operate a guaranteed job interview for any disabled job applicant who meets all the essential criteria for a job. Job applicants are not contacted if they have not been successful in obtaining an interview; however, feedback is available upon request if the applicant has been unsuccessful at interview stage. Our Human Resources Operational Manager is involved, at a regional level, in strategic joint approaches and initiatives to assist job seekers in the Vale.
43. The Equalities Team has links with Remploy and Shaw Trust to assist disabled job seekers to be prepared for interview.

Retention and Sickness

44. When an employee, a manager or the Occupational Health Nurse reports an issue or concern about a member of staff, an officer from the Human Resources Department will engage in exploratory discussions to identify any suitable adaptations in working arrangements and equipment. We regularly access advice from Job Centre Plus and make full use of their Access to Work Scheme to establish adaptations for new and existing staff.
45. In a staff survey 2005/06, 63 (1.23%) employees declared having a disability from a total workforce of 4789. As of November 2009, 37 employees have formally notified the Council that they have a disability from a workforce of 5,496. Since December 2007, 122 applicants for vacancies with the Council have declared having a disability, with 47 of those applicants being interviewed and 14 applicants being successfully appointed. The Council does not currently record the number of disabled people who have received assistance and support by the Council or Access to Work.
46. The Wales Audit Office has prompted the Council to establish a more robust approach to addressing levels of absence. Our management of attendance policy enables the Council to handle sickness absences more effectively. The Management of Attendance policy will be reviewed during the period of the Scheme in view of its relevance to disabled members of staff.

Access to public buildings

47. Access audits have been carried out on all of our buildings (including schools) that are used by the public. We have identified funds to carry out access work on a number of these buildings according to the priorities identified. Work has been carried out on a 'twin track' approach, both reacting to requests, complaints and comments and carrying out pro-active

work to improve access on buildings that are most often visited by the public.

48. Our building managers receive training on an on-going basis to provide accessible services when physical access is limited. Guidelines have been provided for building managers on improving access through general maintenance work and good building management.
49. Regular checks take place on loop systems to ensure that they are in working order and staff are reminded that they should be switched on at all times.
50. A prioritised work schedule of improvements to improve access to Council buildings has commenced and a contract to undertake these works to ten Council buildings has been let. Design work for the next phase of these works is due to start shortly. Examples of improvements have been:

Civic Offices - loop systems have been installed in Committee Rooms 1&2 and emergency calls fitted to disabled toilets. Works have been undertaken to improve access to the main entrance. Lighting has been improved to disabled parking bays and routes. Public Gallery has been made accessible.

Cowbridge Leisure Centre – New Disabled changing facilities, New Hoist to Sauna Pool, Changing places facility created, external fire escapes upgraded and an upgrade of existing facilities

Penarth Leisure Centre – New Disabled changing facilities, Changing places facility created, external fire escapes upgraded, upgrade of existing facilities, new disabled parking bays. Re establishment of one way system and installation of traffic calming measures

Llantwit Major Leisure Centre New Disabled changing facilities, external fire escapes upgraded upgrade of existing facilities new platform lift, new disabled parking bays.

Palmerston Adult Education Centre – new access ramp and main doors, upgrade of disabled w.c.s, wheelchair stair lift, new disabled parking bays.

Old Hall, Cowbridge –new disabled w.c.s, upgrade main staircase, conversion of ground floor flat to accessible training area

Youth Offending Service – New accessible entrance and fire exit, disabled w.c and platform lift.

Work has also taken place at Barry Leisure Centre, Glamorgan Heritage Coast Centre & Jenner Park.

51. Ten training sessions for building managers were held during 2009 involving 3.5 hours of continuing professional development and covering basic disability awareness, types of disability, recognition of service issue problems and was delivered by an RNIB trainer. Practical advice on obtaining information and the Vale's policies on disability and the availability of manuals and information produced by the Vale was delivered by the Council's Disability Access Officer.

Service delivery

52. As a public service provider, the Council aims to:
- improve access to and fairness in Council services;
 - encourage disabled people to become more involved in public life;
 - improve customer satisfaction for disabled members of the community.
53. In addition to statutory service delivery obligations, the Council has a key role as a strategic partner and a participant on the Local Service Board. In that role, it will encourage the development of relevant strategic plans which properly reflect the Council's commitment to equality of opportunity for all.

Communications

54. Specific information aimed at disabled people is available on our award winning website. Details can be found of our disability equality policies, our recruitment and employment practices (in terms of what can be expected as a disabled job applicant and as a disabled employee), the facilities and accessibility of our leisure centre's and libraries; and an account by a disabled employee of their personal experience of working for the Council.
- For the visually impaired, our website has a choice of font sizes and a 'text only' option. This displays the text in a larger font with higher contrast colours. Both these options can be located at the top right hand section of each page.
55. A copy of this scheme will be available on the council's website as well as details of feedback received from focus groups and from members of the public. An annual update on actions completed will also be published and a link will be provided within the Improvement Plan.
56. For those residents who do not have access to the Internet a paper summary of the scheme can be sent in the post and will be available in the libraries. This will be available in English and Welsh and in other formats on request.
57. A plain language guide is available to staff giving clear guidelines on accessible print, plain English and use of Welsh language.

Contact Centre and one-stop shops

58. The Council has introduced a contact centre, in order to transform the customer service that is received from the Council. Contact centre staff have received disability equality training and we intend developing specialised training programmes for these staff in the next three years.
59. The Council is aiming to develop a number of one-stop shops within urban conurbations, in order to deliver improved access to Council services. Disabled people will be involved in the design process to ensure maximum accessibility.

Education

60. School governors are responsible for the compilation of school disability equality policies. A review will take place in 2010 and will be overseen by the Head of Service for Additional Learning Needs. Lifelong learning venues will be included in the revised Education Service Accessibility Strategy. Capital funds have been made available for works in schools and a priority list has been developed.

Parking and Transport

61. During 2010 the government intends to publish details of their plans in relation to Part V Section 32 of the Disability Discrimination Act 1995. This relates to the accessibility of licensed vehicles for wheelchair users. The Licensing Committee will take the new legislation into account when introducing a policy to ensure the accessibility of licensed vehicles.
62. Although the Council has no statutory obligation to provide designated parking spaces on the public highway, it currently funds the provision of ten parking bays per year. The cost is between £2,000 and £3,000 for each bay. Unfortunately demand exceeds supply and there is currently a growing waiting list. At present only disabled drivers can apply. Applications are currently processed by the Highways Department on a 'first come, first served' basis. The Highways Department is working with Social Services to consider the possibility of including non-driving disabled badge holders in the scheme thereby widening the scope of applicants.
63. Enforcement of the use of disabled bays is currently carried out by the Police but this arrangement will be reviewed in the future with the possibility of civil parking enforcement. Consultation with disabled people will form part of the review process.

Sport and Leisure

64. A full-time Disability Sports Officer was appointed in December 2009 to take forward initiatives in sport and play. This post is part-funded by Disability Sport Wales and includes liaison with the Sport Council for Wales in the maintenance of the Vale Disability Sport Directory.
65. Examples of work taking place include a disability sport camp attended by 15 young people over 5 days which involved activities ranging from archery to football to climbing. Local club coaches were involved enabling the young people to learn about local clubs.
66. There are plans for further delivery of disability equality training for leisure centre staff as well as a coaching disabled performers course.

Social Care

67. Non-residential social services charges are currently based on client's ability to pay and are calculated using Welsh Assembly Government guidance which is due to be revised. When the new guidance is available steps will be taken to ensure that disabled people are involved in the consultation process. The appeals process for charging includes three levels with the final level involving representation to a panel of elected members. This process will be reviewed as part of the action plan to ensure that the process is fair for disabled clients.

68. More than 100 people are currently in receipt of direct payments - local council payments for people who have been assessed as needing help from social services, and who would like to arrange and pay for their own care and support services instead of receiving them directly from the local council.
69. A person must be able to give their consent to receiving direct payments and be able to manage them even if they need help to do this on a day-to-day basis.

Disability Equality Training

70. The Council provides an on-going disability equality training programme for staff. Deaf awareness, British sign language and visual awareness courses are also provided. Nearly 400 members of staff have been trained in these areas. Managers attending recruitment training are automatically sent on a disability equality course and equality training is discussed at personal development reviews. We have recently launched mental health awareness training for key members of staff in conjunction with MIND in the Vale.
71. The Council will seek to improve attendance on all of its Disability Equality Training for staff at all levels in order to increase awareness of disability and access issues in employment and service delivery, promote awareness of the social model of disability and promote a culture of equality within the Council.
72. We will continue to ensure that all our frontline staff receive training to enable them to provide a first class service to our disabled residents. This includes increasing the numbers of staff able to communicate by sign language.

Arrangements for reviewing this Scheme and Action Plan

73. This Scheme will be reviewed every three years or earlier if necessary and will form part of the Council's new Single Equality Scheme to be developed during 2010.
74. An annual update will be published at the end of each year of the scheme and will be published on the Council's website. The action plan will be reviewed regularly by the Equalities Team and updated annually.
75. The Corporate Equalities Working Group and the Equalities Consultative Forum will receive updates on the progress of the agreed actions.