



**E Q U A L**



  
**The  
Highland  
Council**  
Comhairle na  
Gaidhealtachd  
*SERVING The Highland Community*

**OPPORTUNITIES**

**DISABILITY  
EQUALITY SCHEME**

**December  
2006 - 2009**

**THE HIGHLAND COUNCIL  
DISABILITY EQUALITY SCHEME  
2006 – 2009**

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## 1 FOREWORD

This is The Highland Council's first Disability Equality Scheme and forms a key part of the Council's wider corporate strategies to eliminate unlawful discrimination and promote equality of opportunity for all. There are some people who may face discrimination or exclusion because of their race, gender, disability, age, religion or sexual orientation. This scheme sets out how we intend to provide fair and equal access to employment and Council services for disabled people.

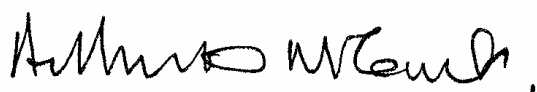
Highland Council's strategic priorities are:

- Representing the Highlands
- Working with Communities and Partners
- Improving quality of life
- Being open, fair and accountable
- Delivering services effectively
- Valuing and involving staff

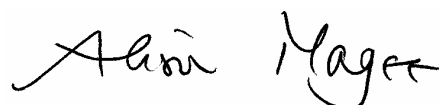
New disability equality duties mean that public bodies need to take account of disability equality in their everyday work and we must ensure that disability equality is central to the themes above. To achieve this we must be aware of the needs of local disabled people. Increasingly, we work with our Community Planning Partners to take forward initiatives that benefit communities and deliver services effectively. In partnership we will also seek to remove barriers that prevent disabled people from participating and contributing fully in the communities in which they live and work.

Disability equality is not a marginal issue, estimates show nearly one in five people in Highland has some form of limiting long term illness or disability. We know that many disabled people face a range of barriers and discrimination, not only physical or organisational, but also negative attitudes and a lack of understanding of their needs.

This Disability Equality Scheme sets out how the Council intends to reinforce and raise awareness of its commitment to disability equality. We wish to see that the actions proposed in the scheme make a difference to the lives of disabled people in the Highlands. This will also improve services for everyone. We want Highland to be a place where the needs of disabled people are met, their voices listened to and they are treated equitably and with respect.



Arthur McCourt  
Chief Executive



Alison Magee  
Convenor

## **2 INTRODUCTION**

- 2.1** *“By 2025, disabled people in Britain should have full opportunities and choices to improve their quality of life and will be respected and included as equal members of society”<sup>1</sup>*
- 2.2** New duties to promote disability equality recognise that public bodies have a significant impact on the lives of disabled people and will require The Highland Council to demonstrate its desire and commitment to improve outcomes for disabled people. To achieve this we need to ensure that services make a positive impact on the lives of disabled people, that disabled people have a say in the decisions that affect them, and that this is measured by increased customer satisfaction and confidence in services.
- 2.3** The scheme is one of a number of measures taken by the Council to meet our commitment to promote equality of opportunity for people in the Highlands. It should be read alongside the Council’s Equal Opportunities Policies for Employment and Service Delivery, its Race Equality Scheme and Race Equality Policy (Education) and Education Accessibility Strategy.
- 2.4** The scheme reflects much that the Council is already undertaking to remove barriers and improve access to services and employment. It will help to bring together the work of individual services and will continue to develop a corporate approach to equality and diversity. The scheme is accompanied by an action plan which sets out measurable activities and includes monitoring, review and reporting on progress.

## **3 BACKGROUND**

### **3.1 Legislation**

The Disability Discrimination Act 1995 (DDA) requires the Council to ensure that it does not treat disabled people less favourably in the standard of services it provides, in access to premises, education or employment. Reasonable adjustments must be made to ensure access to employment and services. The Education (Disability Strategies and Pupils’ Record) (Scotland) Act and the Education (Additional Support for Learning) (Scotland) Act 2004 set out the education duties. Education arrangements are set out in section 14 of this document. Disability equality means that sometimes, under legislation, we need to treat disabled people more favourably in order to tackle barriers and build on the requirements in the DDA to provide reasonable adjustments. [Appendix 1](#) details the key provisions of the DDA and the new duties.

- 3.2** The Local Government in Scotland Act 2003 provides a statutory underpinning to mainstream equality and build it into the every day work of authorities.

### **3.3 The Disability Equality Duty**

The DDA 1995 was amended in 2005 and from 4<sup>th</sup> December 2006 places a statutory Disability Equality Duty, also known as the “general duty”, on public bodies to promote disability equality. All public bodies must give due regard to the need to:

- Promote equality of opportunity;
- Eliminate unlawful disability discrimination;
- Eliminate disability related harassment;
- Promote positive attitudes towards disabled people;
- Encourage participation of disabled people in public life; and
- Take steps to meet the needs of disabled people.

Like most public authorities, the Council must also meet specific duties which set out a framework to comply with the general duty and must:

- Publish a Disability Equality Scheme by 4<sup>th</sup> December 2006;
- Involve disabled people in producing the Scheme and Action Plan;
- Demonstrate actions in the Scheme and appropriate outcomes; and
- Report on progress, review and revise the Scheme.

This scheme follows the Disability Rights Commission (DRC) statutory Codes of Practice<sup>2</sup> and additional non-statutory thematic guidance.

### **3.4 Definition of disability**

The DDA definition of disability is “*a physical or mental impairment which has a substantial and long term adverse effect upon your ability to carry out normal day-to-day activities*”. The definition applies to a wide range of disabilities (from people with Alzheimer’s and arthritis, to those with learning disabilities, depression, diabetes, cancer etc). [Appendix 2](#) gives further details on the definition of disability.

### **3.5 The Social Model**

The social model of disability identifies “disabling barriers” rather than “impairment” as the problem to be tackled. Disabling barriers are the attitudinal, economic, and/or environmental factors preventing certain people from experiencing equality of opportunity because of an impairment or perceived impairment. It is society that disables a person not their impairment. By contrast the medical model focuses on impairment as being the cause of limited opportunities and life chances. The new duties follow the principles of the social model.

## **4 THE HIGHLAND CONTEXT**

- 4.1** The Highland Council has a population of over 213,000, with over 93,000 households in a land area of 26,484 km<sup>2</sup>. It is the largest local authority area in Scotland, comprising one-third of the total area of Scotland. Around half the population live in the inner Moray Firth area, the rest are in remote small towns and remote rural areas and many areas are sparsely populated.
- 4.2** With over 12,000 employees, The Highland Council is the largest employer in the area and provides a wide range of services impacting on everyone who lives there ranging from refuse collection, education, community care, money advice, Council Tax and rates collection, housing and many others.
- 4.3** There are particular concerns for Highland; it is well documented that rates of disability increase with age and we need to take account of the growing number of older people in the Highlands – projected to rise by 37% by 2024. Geography, transport, scattered rural populations are important factors in the challenges we face to provide accessible and equitable services in remote areas.
- 4.4** **The Highland Council Corporate Plan<sup>3</sup>**  
The Council's Corporate Plan sets out how it aims to deliver high quality services to the public. The Council aims at all times to focus on public services to the community and to ensure its performance is accountable. Individual Service Plans detail the wide-ranging actions we are taking to implement the Corporate Plan. The Plan includes the Council's aims to be a fair employer, provide accessible services, promote equality of opportunity and tackle discrimination.
- 4.5** **Best Value and Community Planning and Equal Opportunities**  
A recent report in 2006 by Audit Scotland on Best Value and Community Planning regarding Highland Council's performance set an improvement agenda with a number of immediate and medium-term priorities. One of the immediate priorities is to maintain the focus on equal opportunities. The Audit Scotland report states that equal opportunities issues need more attention from The Highland Council which will require ongoing commitment and improved reporting on performance and progress.
- 4.6** **The Community Plan for Highland**  
The Highland Wellbeing Alliance (the Alliance) is the local community planning partnership. Its second three year plan, 2004 – 2007 recognises that some people face barriers to fully participating in employment, public life and access to services and that modern public services need to work towards greater equality of opportunity and ensure that "community" is at the heart of the plan.
- 'For Highland's Children 2' is effectively the community plan for Highland's children, young people and families. It is the main driver for improvement in the delivery of integrated services and to inform and involve service users. FHC2 contains a set of actions for Children affected by disability and the education elements of the new duties will be integrated into this plan.

#### **4.7 Partnership Working**

Highland Council is actively involved with partners to promote equality of opportunity and diversity. A partnership Equality and Diversity Strategy Group has recently been established. Priority activities include the development of a partnership equality and diversity strategy to encourage efficiencies, develop partnership approaches and share best practice. We have worked together to involve disabled people and disability organisations in the development of individual agency schemes. This is described further in section 5 on involvement. Working together in partnership with agencies and communities on identified priorities will provide positive opportunities for making a real difference and for the efficient use of resources. Actions taken by the Alliance will complement and add value to each partner's work on these issues.

#### **4.8 Disability in Highland**

In Highland, over 38,000 people responded to the 2001 Census that they have a long term or limiting illness. This represents 18% of the population, lower than the 20% Scottish average. However, there is not a comprehensive profile of information on disability and different types and levels of impairment in the Highland area. This is addressed further in the section on information gathering and the Action Plan. Some indicative statistics and their sources are provided in [Appendix 3](#).

There is not a single umbrella body representing disabled people and the related voluntary sector in Highland. There is a wide range of support groups linked to particular impairments; some are local, others are branches or members of national bodies. The Highland Council provides support to, and has agreements with, many of these organisations including the Highland Community Care Forum (HCCF) which is a community development organisation and is the umbrella for a network of users of Community Care Services and their carers, CHIP + which provides independent information, advice and support for parents and carers of children with additional support needs and for the professionals that work with them, the Highland Children's Forum, and the eight Disability Access Panels in Highland who meet as an Alliance.

### **5 INVOLVEMENT OF DISABLED PEOPLE**

**5.1** The specific duties require the 'involvement' of disabled people described as a more active engagement of disabled stakeholders than 'consultation'. Beyond the development of the first Council DES disabled people will continue to be involved in the design and development of services throughout their implementation and review, and in particular in carrying out impact assessments. It is important to acknowledge that the involvement described below builds on previous consultations and information from reviews, complaints or comments on services and is one element of the information gathering needed to develop the scheme and actions.

## **5.2 Making Contact**

Taking a partnership approach and in line with the Community Scotland Standards of Community Engagement<sup>4</sup>, the Alliance Equality and Diversity Strategy Group jointly approached a wide range of disability groups and associations in July 2006. This initial request asked organisations to confirm if they wished to be involved in the preparation of the schemes of the local public bodies and their preferred method of engagement. The partnership approach was adopted to ensure that involvement was focussed, avoiding duplication and over-consultation. 147 groups, associations and charities were contacted including local support groups and national disability organisations. A third of those contacted responded positively. Most expressed a preference for a questionnaire distributed through groups to their members so that support was made available for completion if necessary. Others requested focus groups/open meeting at a local venue.

## **5.3 Multi-Agency Questionnaire**

A multi-agency questionnaire was designed in line with the 10 priorities for change outlined by the DRC in 'Putting disability at the heart of public policy in Scotland – Priorities for action'<sup>5</sup> asking about the views of disabled people and disability groups of life in the Highlands. These were distributed in October 2006 by e-mail and post to all those groups/individuals who requested this form of involvement.

## **5.4 Facilitated Focus Groups**

In tandem with the distribution of the questionnaire, independent consultants carried out 8 focus group events in October/November 2006. These were organised across the Highland area and were arranged by similar interest groups and/or localities where this was requested. Support, such as BSL interpreters, was arranged as required.

## **5.5 Employee involvement**

The questionnaire was circulated to Highland Council employees and elected Members through an all user email and link on the internet. Senior Managers were asked to draw attention to staff not on electronic systems. Staff were also asked if they would like to be involved further, and the establishment of an employee forum, or alternative means to engage disabled staff, is a proposed action.

## **5.6 Analysis of the feedback**

Analysis of the outcomes of the questionnaire and focus groups in terms of priorities, areas of partnership working and barriers will be available early in year 1 of the scheme. This will feed into the development of each of the partner's schemes and action plans and into potential partnership actions.

## **5.7 Feeding back to disabled people in Highland**

The Alliance Equality and Diversity Group will make arrangements in the first year of schemes to inform the groups and associations that helped disseminate the questionnaires and took part in focus groups. Details of the analysis of their views will be presented along with how this will impact on the individual agency schemes as well as partnership activities.

## **6 ARRANGEMENTS FOR IMPACT ASSESSMENT**

- 6.1** In preparation for the DES, each of the Council's Services has reviewed a list of policies and functions drawn up for the Council's Race Equality Scheme and has considered which are most likely to be relevant to disability equality. The priorities of local disabled people and groups arising from the involvement exercise will be taken into account when finalising a list of policies and functions to assess for impact. The evidence provided will be also used to inform impact assessments.
- 6.2** Some pilot work on race equality assessments has been carried out by the Council but more needs to be done to embed a systematic approach to carrying out impact assessments in the Council. Training staff in carrying out equality impact assessments is planned before the end of 2006. In addition to assessing the impact of existing policies and functions deemed relevant and a high priority, the Council is required to assess the impact of relevant proposed policies that affect disabled people. It is the Council's aim that this assessment is carried out at an early stage of the policy development process.
- 6.3** If an assessment, or involvement of disabled people, shows that any of our proposed policies are likely to have an adverse impact on disabled people, the Council will consider how it can meet the general duties and whether the proposed policy needs to be revised.

## **7 THE FIRST ACTION PLAN**

- 7.1** The action plan ([Appendix 5](#)) builds on activities undertaken by the Council and is based on existing information and research about the needs of disabled people and the barriers they face. The action plan will be revised in year one taking account of the analysis of the involvement exercise. While some information has been gathered in the preparation of the first scheme, additional work will be undertaken during the first action plan to draw together robust information and evidence in relation to disability equality.
- 7.2** The Action Plan has four key aims to:
- Create Services that are accessible for disabled people;
  - Ensure employment practices that eliminate discrimination and promote disability equality;
  - Increase engagement, involvement and representation of disabled people; and
  - Create a culture in the organisation that promotes disability equality

## **8 ARRANGEMENTS FOR GATHERING EVIDENCE**

- 8.1** There is no single measure or estimate of prevalence of disability and equalities monitoring of disability is not widely carried out beyond employment. A key challenge for the Council is to establish the diverse range of needs of people who have different types and levels of disability or impairment. There is currently a lack of clarity around

definitions which affects both the presentation and analysis of statistical information in this area. It will therefore be important to develop a clearer picture of our community in order to establish a baseline in terms of current performance and to be able to set meaningful, challenging, but realistic performance improvement targets. This will be included in the action plan. Information and evidence will also be gathered as a result of undertaking impact assessments.

**8.2** The Council has new arrangements in place to gather information on employment and equalities monitoring as a result of a new Payroll and Personnel system. During 2006, Council employees were sent an Equal Opportunities monitoring form and asked to verify information. Employees, and applicants for posts, are asked to self-report if they consider they are disabled, the DDA definition is used as a guide. This will allow the collection and analysis of information on recruitment, training and retention of disabled employees. This will include monitoring of Education staff.

**8.3** In addition to quantitative measures the Council already gathers information from a range of sources including an employee survey, a public performance survey, complaints and service reviews. Some results from recent staff and customer surveys are below.

**8.4 Employee survey**

The Highland Council Employee Survey 2005 asked if staff considered that they had a disability, referring to the DDA definition. 3% of respondents stated they had a disability, 94% that they did not and 3% did not respond. A higher proportion of staff over the age of 60 said they were disabled. There were no significant differences between the proportion of staff identified as disabled and those who did not when responding to questions about levels of job satisfaction, morale at work and levels of stress.

**8.5 Public performance survey**

Of 1,467 questionnaires completed for the Highland Council Public performance survey in 2006, 2% respondents said they were unable to work as a result of long term illness and 3% because of disability. Respondents were asked their views on Services and it included a question about “contact with the Highland Council: facilities for people with a disability”. The response to this question in 2006 shows a marked increase in satisfaction from previous surveys, hopefully a reflection of the Council’s investment to improve accessibility to its premises and services.

2006		2005		2005		2003	
Good %	Poor %	Good %	Poor %	Good %	Poor %	Good %	Poor %
60	8	52	12	45	20	45	19

**9 USING THE INFORMATION GATHERED**

**9.1** The Council will use the information it gathers to review the action plan, consider what additional steps may be required to promote disability equality. This will inform the development of the action plan and the preparation of subsequent schemes.

## **10 PREPARING AND IMPLEMENTING THE SCHEME**

- 10.1** The Highland Council's first Disability Equality Scheme builds on the Council's approach to improve access to employment and services. To develop the scheme a cross-service working group was established to assess policies and functions for relevance, identify current activities, issues, gaps in provision, and available information. The group was chaired by the Council's Policy Manager and supported by the Equal Opportunities Officer. Group members involved others from their Service in the assessment of policies and functions for relevance and to assist this activity, 36 employees from across the Council received a one-day training session by Capability Scotland. Reports on progress were made to senior management.
- 10.2** The Council consulted with its Community Planning Partners in the Highland Wellbeing Alliance and actively worked in partnership to involve disabled people in the preparation of schemes. Review and development of the scheme and its associated action plan will be an ongoing and flexible process, and comments will be welcome at any time.
- 10.3** To implement the scheme the Council will take the steps set out in the action plan and will put into effect its arrangements for gathering and making use of information. The cross-services working group will meet regularly to report on progress. There is an established reporting structure to the Council's Equalities Group which is responsible to the Senior management Team, this will be reviewed during year one of the scheme. Arrangements for implementing and monitoring the Education sphere of the scheme will be undertaken as part of integrated Children's Service Plan.

## **11 ANNUAL REPORTING**

- 11.1** Performance on implementing the scheme will be reported annually to the appropriate committee as part of the Council's corporate annual reporting framework. This will include details of information gathered and what action has been taken as a result of the analysis of the information.

## **12 PREPARING SUBSEQUENT SCHEMES**

- 12.1** The Council will review its DES every three years, including a review of policies and functions. It will take account of information gathered during the length of the first scheme, the impact of activities, changes in legislation and strategic developments in the preparation of subsequent schemes.

## **13 PUBLISHING THE SCHEME**

- 13.1** The Scheme will be published on the Council's internet ([www.highland.gov.uk](http://www.highland.gov.uk)), and will be available in a range of other formats. A summary of the scheme will also be published.

## **14 DISABILITY EQUALITY SCHEME EDUCATION: The Role of Schools**

- 14.1** Highland Council has over 33,000 pupils educated in 29 secondary schools, 187 primaries, 145 nursery units and 4 special schools. For some years, The Highland Council has been proactive in promoting inclusiveness through making adaptations to accommodate the needs of disabled people. To establish a baseline for schools in terms of accessibility, an audit of all Highland schools was carried out in 2003 covering curriculum, physical accessibility and communication/information.
- 14.2** Education authorities, as well as being covered in their own right by the specific duty, also have a duty in relation to the schools under their management. Schools in The Highland Council area will be required to identify their policies and practices and assess their impact, or likely impact of proposed policies and practices on disabled pupils.
- 14.3** Schools will gather information on the effects of their policies and practices and the educational opportunities available to, and on the achievements of, disabled pupils. Much information is already gathered by the Education Authority and the Council will undertake an overview of what details are collected on disabled pupils.
- 14.4** Schools will be expected to provide an annual report on the above two matters, and will each maintain a copy of the scheme.
- 14.5** The Highland Council's Additional Support for Learning Manager has contacted schools and the Highlands Children's Forum and sought to elicit the views of disabled children and young people in Education and to involve children and young people in the drawing up of this scheme. They have asked about the barriers to inclusion of young people in education, culture and sport and have asked for views on the best way to check and inform the action plan. This will inform the further development of actions to meet the education requirements and improve educational opportunities for pupils with disabilities.
- 14.6** The scheme links closely with the Council's existing duties under the Education (Disability Strategies and Pupils' Records) (Scotland) Act 2002 the Education (Additional Support for Learning) (Scotland) Act 2004.
- 14.7** All public services for children are planned, monitored and delivered through an integrated approach with community planning partners and with the engagement of children's' representatives and children and young people themselves. The Community Plan for children. For Highlands Children 2, sets out the services to be delivered and the outcomes to be achieved. Schools are an important part of the Council's services for children and the requirements of the DED on education authorities and schools will be fully integrated with this process and included in the new Children's Services Outcome Agreement to be piloted in the Highlands. This will include further details on the arrangements above and a number of identified actions

## **APPENDICES**

### **APPENDIX 1**

#### **THE DISABILITY DISCRIMINATION ACTS AND THE NEW DUTIES**

##### **The Disability Discrimination Act 1995 (DDA)**

The DDA was passed in 1995 to address the discrimination that many disabled people face. Different parts of the legislation took effect at different times, and the original Act has been subject to a number of amendments. The legislation now protects disabled people in:

- Employment (Part 2)
- Access to services, premises and private clubs (Part 3)
- Education (Part 4)

##### **Part 1 Definition of disability**

Provides information and guidance on what constitutes disability for the purposes of the Act, and who is protected under it (see Appendix 2).

##### **Part 2 Employment**

Prohibits discrimination in relation to employment of disabled people, including recruitment, training, promotion, benefits, and dismissal. Employers are required to make “reasonable adjustments” for a disabled person put at a substantial disadvantage by a provision, criterion or practice, or a physical feature of premises.

It also prohibits discrimination by trade organisations and qualifications bodies and provides procedures for enforcement and provision of remedies for discrimination.

##### **Part 3 Provision of goods, facilities and services, disposal or management of premises or land, private clubs**

Service providers are required to make “reasonable adjustments” for disabled people and to take reasonable steps to:

- Change a practice, policy or procedure which makes it impossible or unreasonably difficult for disabled people to make use of its services;
- Provide an auxiliary aid or service if it would enable (or make it easier for) disabled people to make use of its services.

In addition, where a physical feature makes it impossible or unreasonably difficult for disabled people to make use of services, a service provider has to take reasonable steps to:

- Remove the feature; or
- Alter it so that it no longer has that effect; or
- Provide a reasonable means of avoiding it
- Provide a reasonable alternative method of making the service available

It prohibits discrimination by private clubs and provides procedures for enforcement and provision of remedies for discrimination.

## **Part 4 Education**

The disability discrimination duties apply to provide protection for disabled pupils by preventing discrimination against them at school on the grounds of disability.

Education authorities and schools are subject to two key duties:

- Not to treat disabled pupils less favourably; and
- To take reasonable steps (or make 'reasonable adjustments') to avoid putting disabled pupils at a substantial disadvantage.

Support is also available to disabled pupils in schools through complementary pieces of legislation:

- The Education (Disability Strategies and Pupils' Records) (Scotland) Act 2002 places a duty on education authorities to prepare accessibility strategies to address planned improvements in access for disabled pupils; and
- The Education (Additional Support for Learning) (Scotland) Act 2004 introduced a new framework to make provision to meet the additional support needs of individual children. The duties under the ASL framework are designed to dovetail with existing duties in the Disability Discrimination Act.

## **Part 5 Transport**

Provides the Secretary of State with powers to establish minimum access criteria for public transport vehicles to be phased in over time. The use of transport is excluded from the requirements of Part 3 of the Act – but other facilities offered by transport providers are not e.g. public areas at stations and booking facilities.

## **The Disability Discrimination Act (Amendment) Regulations 2003**

These regulations implemented the Employment Equality Directive 2000/78/EC and amended provisions on employment including:

- Removal of the exemption for employers with less than 15 employees;
- Direct disability discrimination cannot be justified;
- New occupations such as police and partners in firms are covered;
- Four kinds of discrimination – direct discrimination, failure to make reasonable adjustments, disability-related discrimination and victimisation; and
- New provisions on harassment.

## **The Disability Discrimination Act 2005**

The 2005 Act extends and strengthens the 1995 legislation and includes:

- Extending the scope of the DDA to cover, effectively from the point of diagnosis; people with HIV infection, cancer or multiple sclerosis;
- Removing the requirement that a mental illness must be "clinically well-recognised";
- Advertisers are liable for publishing discriminatory advertisements;
- Elected members are covered by the DDA;
- All local authority functions are included not only "services"; and
- Less favourable treatment of disabled people by private clubs with a membership of over 25 is unlawful.

A key element of the Act is the introduction of a new general duty on public authorities to promote disability equality.

## **THE DISABILITY EQUALITY DUTY**

The Disability Equality Duty comes into force on 4 December 2006 following amendments to the Disability Discrimination Act (DDA) in 2005. This duty to promote disability equality applies to almost all public authorities, requiring them when carrying out their functions to have due regard to the need to:

- Promote equality of opportunity between disabled people and other people;
- Eliminate discrimination that is unlawful under the DDA;
- Eliminate disability-related harassment;
- Promote positive attitudes towards disabled people;
- Encourage participation by disabled people in public life; and
- Take steps to meet disabled peoples needs, even if this requires more favourable treatment.

The duty covers all functions and activities, not just employment and service delivery, but budget setting, procurement, regulatory functions and setting the framework within which the organisation will deliver services.

### **Due regard, relevance and proportionality**

Public authorities are expected to have "due regard" to the six parts of the general duty. This has two linked elements of proportionality and relevance. In all decisions and functions authorities should give due weight to the need to promote disability equality in proportion to its relevance. Disability equality will be more relevant to some functions than others. Proportionality requires greater consideration to be given to disability equality in relation to functions or policies that have the most effect on disabled people.

### **Specific Duties**

Along with many other public authorities, Highland Council is also subject to a set of specific duties which are designed to help meet the overall general duty including the requirement to produce a Disability Equality Scheme. The DES is a framework to show how we will plan, deliver, evaluate and report on activities to ensure compliance with the general duty. The essential elements which the DES must cover are:

- A statement of how disabled people have been involved in developing the scheme;
- The Action Plan (steps the authority will take to comply with general duty);
- Arrangements for gathering information about performance of the public body on disability equality;
- Arrangements for assessing the impact of the activities of the authority on disability equality; and
- Details of how the authority is going to use the information gathered, in particular in reviewing the effectiveness of its action plan and preparing subsequent schemes.

### **There are specific information-gathering measures which must be included in the disability equality scheme, these are:**

- The effect of an authority's policies and practices on recruitment, development and retention of its disabled employees;
- The effect of an authority's policies and practices on educational opportunities available to and achievements of disabled pupils and students; and

- The extent to which services and functions take account of the needs of disabled persons.

In contrast to the duties under the Race Relations (Amendment) Act 2000 there are no separate provisions for the education sector or employment sectors, other than in relation to information gathering. However, while schools are not covered by the specific duty in their own right, there are specific regulations detailing how education bodies must make arrangements for schools under their authority to carry out certain tasks

### **Schools**

It shall be the duty of Education authorities to make arrangements for each school under its management to:

- Assess the impact of its policies and practices, or the likely impact of its proposed policies and practices, on equality for disabled pupils;
- Gather information on the effects of its policies and practices and the educational opportunities available to, and on the achievements of, disabled pupils;
- Provide the Education authority with an annual report in respect of the matters above, and the steps proposed to fulfill the duty; and
- Maintain a copy of the Scheme.

### **Acting on the Disability Equality Scheme**

The Council is required to develop a three-year Action Plan, and provide annual reports on progress, this can be within other documents such as an annual report. We must review and revise the Scheme every three years and take the steps set out in the Action Plan in that period unless it is unreasonable or impracticable to do so. It must also assess the effectiveness of the steps it has taken to promote equality.

### **Enforcement**

The Disability Rights Commission has the power to take legal action where authorities fail to carry out their responsibilities and in addition authorities may be subject to judicial review by interested parties.

## APPENDIX 2 DEFINITION OF DISABILITY

The Disability Discrimination Act (DDA) protects disabled people. The Act sets out the circumstances in which a person is "disabled". It says a person is disabled if they have:

- A mental or physical impairment;
- This has an adverse effect on their ability to carry out normal day-to-day activities;
- The adverse effect is substantial; and
- The adverse effect is long-term (meaning it has lasted for 12 months, or is likely to last for more than 12 months or for the rest of their life).

There are some special provisions, for example:

- If an impairment substantially affects a person's ability to carry out normal day-to-day activities, but doesn't any more, it will still be counted as having that effect if it is likely to do so again;
- If it is a progressive condition, and it will substantially affect a person's ability to carry out normal day-to-day activities in the future, they will be regarded as having an impairment which has a substantial adverse effect from the moment the condition has some effect on their ability to carry out normal day to day activities;
- If a person is diagnosed as having cancer, HIV infection or multiple sclerosis they will automatically be considered as 'disabled';
- If a person is registered as blind or partially sighted or certified as blind or partially sighted by a consultant ophthalmologist, they will automatically be considered as "disabled";
- People who have had a disability in the past but are no longer disabled are covered by certain parts of the DDA.

### "Normal day-to-day activities"?

At least one of these areas must be substantially affected:

- Mobility;
- Manual dexterity;
- Physical co-ordination;
- Continence;
- Ability to lift, carry or move everyday objects;
- Speech, hearing or eyesight;
- Memory or ability to concentrate, learn or understand;
- Understanding of the risk of physical danger.

### Treatment

The Act says that any treatment or correction should not be taken into account, including medical treatment or the use of a prosthesis or other aid (for example, a hearing aid). The only things which are taken into account are glasses or contact lenses. The important thing is to work out exactly how an impairment affects an individual. For example, if, as a result of a hearing impairment, a person experiences difficulty hearing someone talking at a sound level which is normal for everyday conversations in a moderately noisy place, it would be reasonable to regard this as having a substantial adverse effect. Being unable to hold a conversation in a very noisy place such as a factory floor would not. If an impairment affects mobility, being unable to travel a short journey as a passenger in a vehicle would reasonably be regarded as having a substantial adverse effect. So would only being able to walk slowly or with unsteady or jerky movements. But experiencing some minor

discomfort as a result of walking without help for about 1.5 kilometres or a mile would not.

Effects which are not long-term would include loss of mobility due to a broken limb which is likely to heal within 12 months and the effects of temporary infections, from which a person would be likely to recover within 12 months.

People with severe disfigurements are covered by the Act. They do not need to demonstrate that the impairment has a substantial adverse effect on their ability to carry out normal day-to-day activities

If a genetic condition has no effect on ability to carry out normal day-to-day activities, the person is not covered. Diagnosis does not in itself bring someone within the definition. If the condition is progressive, then the rule about progressive conditions applies.

Certain conditions are not considered impairments under the DDA:

- Tendency to steal, set fires, and physical or sexual abuse of others;
- Exhibitionism and voyeurism;
- Hayfever, if it doesn't aggravate the effects of an existing condition;
- Addiction to or a dependency on alcohol, nicotine or any other substance, other than the substance being medically prescribed.

Additionally, disfigurements consisting of a tattoo or non-medical body piercing are treated as not having a substantial adverse effect on ability to carry out normal day to day activities.

## APPENDIX 3: DISABILITY IN HIGHLAND AND SCOTLAND

In 2004 the DRC published a document Key Facts in Scotland which estimated:

- Nearly 1 million adults have a disability – about one in five of the population;
- 180 000 people have serious sight problems;
- 729 000 people have a form of hearing loss or deafness;
- Over 18 000 adults with learning disabilities; and
- One in four people will experience a mental health problem.

Different estimates of the disabled population are collated for different reasons and it is not possible to point to one definitive source to estimate numbers of disabled people. Along with Community Planning Partners, the Council aims to draw together existing information on disability in the area. This will provide a baseline to develop and improve policy and services. It is an action for the partners to work to collate robust information on the number of disabled people in Highland. For this first scheme, some key sources of information are given below:

### Long term Limiting Illness (LLTI): 2001 Census

	Total population	Population reporting a LLTI	% of population with LLTI
Highland	208,914	38045	18%
Scotland	5,062,011	978376	20%

The 2001 Census figures are recognised as a key indicator of disability, but the definition is not the same as the DDA definition, it is not precise and is self-defining. Compared to other local authority areas, Highland has a lower than average percentage of reported long term limiting illness. There are local variations, for example the percentage of people reporting a LLTI in Badenoch and Strathspey is 17% but rises to 21% in Sutherland.

There is strong evidence of the age-related link to disability. While 5% of the 0 -5 age group has a reported LLTI it rises to 49% of the 65+ age group in Highland and 53% of the same age group in Scotland. Of those of working age (16 – 64) 15% in Highland are reported having a LLTI and 16% across Scotland.

### Employment

#### Working age employment rate estimate for people with a disability in Scotland

In 2005, only 5 other local authorities had a higher employment rate for disabled people. Estimates show 55% of working age people in Highland with a disability were in employment, compared with a national rate of 46%. From the same period 81% of the total working age population in Highland were in employment compared to 78% in Scotland. The employment rate estimate for people with a disability living in the 15% most deprived areas in Scotland was 28% in 2005; nearly half that for the rest of Scotland (51%).

	Disabled working age		All working age	
	Proportion	Level	Proportion	Level
Scotland	46%	291,000	78%	1,235,000
Highland	55%	12,000	81%	52, 000

The Annual Population Survey in Scotland 2005

## Benefits

### Disability Living Allowance and Attendance Allowance; Department of Work and Pensions, February 2006

	Disability Living Allowance		Attendance Allowance	
	Recipients (to nearest 5)	% of total population	Recipients (to nearest 100)	% of total population
Highland	10475	5%	5900	16%
Scotland	306700	6%	140400	17%

Disability Living Allowance is a tax free benefit for children and adults who need help with personal care or have walking difficulties because they are physically or mentally disabled. Attendance Allowance is a tax free benefit for people aged 65+ who need help with personal care because they are physically or mentally disabled.

### Sensory Impairment: Visual Impairment

According to the Scottish Executive National Statistics for 2006 the number of people estimated to be registered as blind or partially sighted is almost 37,000. Registering is voluntary and it is estimated that only around a third of people meeting the criteria are registered. Children are seldom registered. Currently 90% of blind and partially sighted people are aged 60 and over; one in five people over 75 has a sight problem.

	Highland	Registered Blind per 1,000 Pop	Scotland	Registered Blind per 1,000 Pop
Registered Blind	884	4.3	21,561	4.3
Registered partially sighted	634	3.1	15,435	3.1
Registered visually impaired	800	7.3	36,996	7.4

People registered blind and partially sighted, Oct 2006

### Sensory Impairment: Deaf and hard of hearing people

Although accurate figures are unclear, research gives some information about people with hearing impairments. It is known that the number of people with more moderate degrees of loss is far greater than those with more severe losses. RNID figures suggest around 758,000 adults have some degree of hearing loss in Scotland.

This table gives estimated numbers of deaf and hard of hearing people in Scotland.

Level of deafness	16 to 60 years old	Over 60 years old	Total
Mild/moderate deafness	203,000	498,000	701,000
Severe/profound deafness	9,000	48,000	57,000
All degrees of deafness	212,000	546,000	758,000

RNID

### Estimated Prevalence of Need in Highland Population

	% of population	Est. Highland Figure
Some form of hearing loss	14%	29260
A profound hearing loss	0.5%	1045
Use British Sign Language	0.10%	209
Need access to phone not using voice	0.76%	1588
Use a hearing aid	10.48%	21902

Highland Single Sensory Strategy 2005

**Sensory Impairment: Deafblindness**

Deafblind people are a minority group with high needs. Older people form the majority of this group. Precise figures for the incidence of deafblindness in Highland are not easy to obtain but a total of 200 has been indicated – this is probably an underestimate. The provision of services is challenged by small numbers scattered over a wide geographical area.

Highland Single Sensory Strategy 2005

**Mental Health**

Recent estimates suggest that between 40,000 and 50,000 adults within Highland are likely to suffer mental health difficulties at some point in their lives, about three-quarters of whom will consult their GP. About 15,000 will be identified as having a mental health problem. In any one year over 3000 people will be seen by specialist mental health services.

Mental Health (Care and Treatment) (Scotland) Act 2003, Highland Council and Highland NHS Board, Joint Implementation Plan

**Learning Disability**

The Same As You?” A Review of Services for People with Learning Disability by the Scottish Executive in 2000 stated there is not enough detailed information on the number of people in Scotland with learning disabilities. It estimated 120,000 people in Scotland with learning disabilities, around 30,000 of whom would be in regular contact with authorities.

The most recent statistics estimate 22,473 adults with learning disabilities known to local authorities in Scotland, a national prevalence rate of 5.4 per 1,000 population aged 16 or over. This figure has grown by 24% from the 18,066 adults reported as known in 2003.

Highland: estimate of adults known to local authorities

	total	Adults known per 1,000 Pop'n
Highland	623	3.6
Scotland	22,473	5.4

Scottish Executive-Statistics Release, 2005, Adults with Learning Disabilities. Implementation of “The Same As You?”, Scotland, 2005

## **APPENDIX 4: CURRENT ACTIVITIES**

In recent years, the Highland Council has taken a positive corporate approach to improving access to its buildings, services and employment and has made commitments in its Equal Opportunities plans. A corporate Equalities Group is now complemented by an equalities working group representing all services. The Council has undertaken a range of activities to improve the lives of disabled people in the Highlands and has involved and worked with service users. Some of these include:

### **Physical Access**

Since 2002, the Council has started to improve physical access to public service buildings through a planned programme of access audits and improvement work. This work is supported by the involvement of local disability Access Panels

### **Services for Children, Families and Young People**

Integrated services in Highland have been developing over the last number of years. A series of strategic and operational multi-agency structures have been developed to support interagency working and create better local services.

The integrated Children's Plan, [For Highlands Children](#) includes a set of actions for Children affected by Disability including:

- Physical Disability
- Learning Disability
- Profound & Multiple Learning Disabilities
- Sensory Needs
- Communication & / or Developmental Disorders

### **Education**

- The Council has prepared an accessibility strategy as requires by the Education (Disability Strategies and Pupils' Records) (Scotland) Act 2002 to improve access to education for children with disabilities. The implementation of the Accessibility Strategy ensures on-going accessibility improvement
- The Council has duties under the Education (Additional Support for Learning) (Scotland) Act 2004 which has modernised legislation on assessing and recording of special educational needs.

### **Employment**

The Highland Council has adopted the nationally recognised Disability Symbol. Adoption of this symbol involves the Highland Council in making five particular commitments, as follows, to:

- Guarantee an interview to all applicants with a disability - provided they meet the minimum qualifying criteria for the particular vacancy and to consider them on their abilities;
- Consult with disabled employees on an annual basis, to ensure they can develop and use their abilities at work;
- Make every effort when employees become disabled to retain them in employment;
- Improve knowledge, to ensure that key employees develop the awareness of disability required to make the above commitments work effectively; and
- Review these commitments annually to check what has been achieved, plan ways to improve and to advise employees about progress and future plans.

## **Disability Sport**

Highland Disability Sport undertakes activities to encourage involvement and inclusion of disabled people in sporting activities. Current activities include the Creation of a Schools Coaching Network to forge closer links between education and community sport for young people with disabilities and promote inclusion within mainstream education. This will also provide training and education opportunities for all involved including teachers and will help the development of school based sport for pupils with disabilities as well as information, advice and guidance. The project also carries out training for volunteers and coaches and there are now six constituted Disability Sports groups across Highland.

## **Culture and Leisure facilities**

In Leisure Facilities, customers entitled to Disability Living Allowance or Attendance Allowance can obtain a Budget High Life card and access activities for 50p. To encourage disabled people to use facilities to their full potential. As part of the Disability Sport Strategic Plan Leisure centre staff are about to start a programme of disability awareness training to improve proactive customer care to people with disabilities. People who require a care/attendant with them when they access Culture and Leisure facilities can register for the Plus One Scheme - Carer Goes Free scheme Some. This enables them to gain free access for their carer at participating venues. The cardholder will pay the normal rate of entry for themselves.

## **Transport**

The Council has worked with operators to provide accessible vehicles on a number of services throughout Highland. As a result of successful Bus Route Development Grants buses and coaches town services have been upgraded to new accessible vehicles. Grant funding is being matched by a similar contribution from the operators of the services. The council will provide additional infrastructure on these services to aid access for all passengers. The Council has progressed through the tender process, including the provision of accessible vehicles as an option on all tenders. Contracts have been awarded and some additional accessible vehicles specified, and will be implemented on 1<sup>st</sup> Jan 2007. We have allowed within the tender process for additional points to be awarded for offering accessible vehicles and where we are able to will award to operators offering improved vehicle standards.

The Council also administers the Scottish Executive's concessionary fares schemes for pensioners and disabled people.

## **Social Work**

Disabled people have the same right to access mainstream support, services and information but there is also a requirement for specialised services to meet identified need. Community Care resources are targeted at those most in need through the recently published framework of for the Council's Fair Access to Community Care. Social Work Service manages Direct Payments to eligible disabled people in Highland.

Prior to writing the next Partnership in Practice Agreement (PiP) for services for people with a learning disability, Social Work Services have commissioned a local organisation which enables adults with a learning disability to voice their views to undertake a survey. People First have been asked to collect the views of service users and to help highlight the most important issues to the Learning Disability Local Implementation Groups.

The Community Mental Health Support Team provides support for people with enduring mental health problems. The Team consists of social workers, nurses, occupational therapists, a psychologist, a supported accommodation worker, and a number of support workers managed by a community support officer. The aim of the Team is to improve the quality of life of people living in the community who have been disabled by the effects of mental illness by providing a range of support services.

## **Sensory Issues**

### **Strategic Working Group on Sensory Issues**

This is one example of partnership activities, the Strategic Working Group on Sensory Issues which has representation from both agencies and also the voluntary sector representing users and is chaired by the Vice-Chairman of The Highland Council's Housing and Social Work Committee. The group has overseen the development of a single strategy to address the needs of individuals with a wide range of sensory impairments. A crucial aim is to develop a more integrated approach across agencies and sectors to reflect the complexity of the range of support needs within Highland.

### **The Deaf Communication Project**

The Deaf Communication Project was set up in 1997 and is jointly funded by the Council, NHS Highland and the European Social Fund. The project has a number of objectives including training Interpreters and Communicators, supporting deaf children in mainstream schools, training staff in deaf social work to improve accessibility, and raising levels of BSL skills and awareness amongst other Highland Council staff; families of deaf children and the general population. The project achieves this through training interpreters and communication professionals and through engaging deaf people to teach British Sign Language, Deaf Awareness and Lipreading. It has trained almost 600 people in Highland in BSL from Introductory to Interpreter level. 300 people have their Deaf Awareness certificates. 800 further beneficiaries on non-certificated courses have also been reached.

### **Deaf Action**

Deaf Action is funded by the Council and NHS Highland to provide a vital Communication Support Service in Highland. This service will facilitate communication between deaf and hearing people, enabling deaf people to be as independent as possible. The service builds the work already carried out to train people in British Sign Language and other communication skills by the Deaf Communication Project. The Project also explores new technologies such as recently developed video links and remote speech to text facilities. Deaf Action, which now provides up to 200 hours communication support monthly, over half of which is to facilitate access to the Highland Council.

## **Training and awareness raising**

Awareness raising on equality and diversity issues is covered at induction of new staff; it forms an important part of Recruitment and Selection training, and a requirement for all relevant lead officers is that they must attend this training. The Council delivers a corporate one-day training course on Equality and Diversity, and delivers disability equality awareness training.

## APPENDIX 5: ACTION PLAN

### Action Plan: Key performance measures

The Action Plan has four key aims with key performance measures identified or to be confirmed during year one of the scheme

<b>Aim</b>	<b>To create Services that are accessible for disabled people which improve access to Council premises, services and information, and eliminate barriers to access to services and information</b>
Measure	Increase in the number of buildings that meet the Audit Scotland Statutory Performance Indicator "percentage of public service buildings that are suitable and accessible to disabled people". (Source SPI)
Baseline	2005 – 06 Current level of Council's accessible public buildings is 24.9%
Target	2009 Target level for Council's accessible public buildings is 73.7%
Measure	Year on year increase in satisfaction levels and reduce dissatisfaction in the Public Performance Survey question on "contact with the Highland Council: facilities for people with a disability". (Source PPS)
Baseline	2005 – 06 response Good 60% Poor 8%
Target	Annual increase of "good" and decrease of "poor"
Measure	Maintain minimum Web Accessibility Initiative (WAI) AA standard for Council website to be included in Quarterly Performance Reports.
Baseline	2006 Web framework meets AA standard
Target	2007 Web framework and content maintain accessibility
<b>Aim</b>	<b>To create fair employment practices and policies, and eliminate barriers to recruitment, employment, training and retention of disabled people in the workplace.</b>
Measure	To create a performance measure when data on applicants and current employees is available from the Council's Payroll and Personnel project
Baseline	TBC
Target	TBC
Measure	All lead officers to be trained in fair Recruitment and Selection practices
Baseline	2005 -06 542 lead officers have received training
Target	TBC
<b>Aim</b>	<b>To increase engagement, involvement and representation of disabled people and eliminate barriers to disabled people participating in public life and decision making.</b>
Measure	Year on Year increase in the number of staff trained (at all levels) in the Standards of Community Engagement.
Baseline	2006: 16 people trained
Target	TBC
Measure	Develop measure in 2007 – 2008 following analysis of feedback from users
<b>Aim</b>	<b>To create a culture in the Council that promotes disability equality, increases the consideration of disability equality in all activities and eliminates the potential for unlawful discrimination.</b>
Measure	Create a measure for the number of Equality Impact Assessments to be done each year once user feedback is analysed with service screening of policies.
Measure	Year on Year increase in the number of staff attending Equal Opportunities and Diversity training and Disability awareness training
Baseline	2006 Equality and Diversity training: 1247 Disability Confident: 0
Target	2007 Equality and Diversity training: 1547 Disability Confident: 100

## Action Plan

The performance measures will be achieved through a number of actions. Each objective has a note of which elements of the General duty it relates to.

Elements of the General Duty:

1. Promote equality of opportunity
2. Eliminate unlawful disability discrimination
3. Eliminate disability related harassment
4. Promote positive attitudes towards disabled people
5. Encourage participation of disabled people in public life
6. Take steps to meet the needs of disabled people

**Aim 1 To create Services that are accessible for disabled people that increase access to Council premises, facilities and services, and eliminate barriers to access to services and information.**

<p><b>Objective:</b> The Council's public service buildings are accessible and suitable for use by disabled people through continued programme of DDA improvement work identified in access audits. Council services are accessible and suitable for use by disabled people</p> <p><b>Duties: 1,2,4,5,6</b></p>			
	<b>Action</b>	<b>Timescale</b>	<b>Responsibility Service/Lead</b>
1.1	<ol style="list-style-type: none"> <li>1. 42.1% of property meet SPI criteria</li> <li>2. 57.9% of property meet SPI criteria</li> <li>3. 73.7% of property meet SPI criteria</li> <li>4. Highland Disability Access Panels involved</li> </ol>	<ol style="list-style-type: none"> <li>1. March 2007</li> <li>2. March 2008</li> <li>3. March 2009</li> <li>4. Each project</li> </ol>	PAS Head of Property
1.2	Review options to ensure services are accessible. Adjustments (other than physical) are identified and acted upon using checklist/guidance to be developed for Service Managers.	As required	Service Managers
<p><b>Objective:</b> Ensure information about the Council and its services is accessible. Raise awareness of the need to ensure information is accessible and communication support needs and ensure that the Council website is accessible and inclusive;</p> <p><b>Duties: 1,2,4,5,6</b></p>			
2.1	<ol style="list-style-type: none"> <li>1. Web site will maintain a minimum of Web Accessibility Initiative (WAI) AA standard and work towards AAA standard. Site is reviewed regularly for accessibility.</li> <li>2. User review of website to be undertaken and will include disabled people. Any accessibility issues identified and acted on.</li> </ol>	<ol style="list-style-type: none"> <li>1. Report to QPR from July 2007</li> <li>2. Dec 2007</li> </ol>	CEXO Public Relations Manager
2.2	<ol style="list-style-type: none"> <li>1. Review corporate use of alternative formats and communication support.</li> <li>2. Improve arrangements as required.</li> <li>3. Produce guidance for staff on intranet on good practice and procedures to meet language and accessibility needs.</li> <li>4. All public document produced by corporate graphic design staff adhere to their "accessible design pledge".</li> </ol>	<ol style="list-style-type: none"> <li>1 April 2007</li> <li>2. 2007 - 2009</li> <li>3. March 2007</li> <li>4. For each project</li> </ol>	<ol style="list-style-type: none"> <li>1. CEXO</li> <li>2. CEXO</li> <li>3. CEXO EOO</li> <li>4. CEXO Public Relations Manager</li> </ol>

**Aim: To create fair employment practices and policies, and eliminate barriers to recruitment, employment, training and retention of disabled people in the workplace.**

<b>Objective:</b> Gain an understanding of the employment issues affecting employees and potential job applicants with a disability and ensure that account can be taken of their needs. <b>Duties: 1,2,3,4,6</b>			
3.1	Collect relevant data form Employee survey relating to employees' attitudes to disability and allow action points to be identified	2007 – 2009	CS Employee Development Manager (EDM)
3.2	Investigate mechanisms to consult and involve disabled employees as a means of achieving improvement actions.	Dec 2007	CEXO EOO & CS Head of Personnel
3.3	Establish communication with recognised trade unions on issues affecting disabled employees and allow action points to be identified.	2007 - 2009	CS Head of Personnel
3.4	1. Collect data from current employees relating to disability and allow action points to be identified. 2. Collect data from job applicants	1. Dec 2006 2. 2006 - 09	CS Head of Personnel
<b>Objective:</b> The framework of personnel policies should reflect the outcomes of consultation, ensure that employees with a disability are supported to continue working for the Council, and ensure that potential employees with a disability are encouraged to apply for jobs with the Council. <b>Duties: 1,2,3,4,6</b>			
4.1	Ensure compliance with the Disability (Double tick) symbol.	Dec 2006	CS Head of Personnel
4.2	1. Review Recruitment and Selection Policy 2. Review Equal Opportunities Policy 3. Review Harassment at Work Policy 4. Review Absence Management Policy	1. Dec 2006 2. 2007 3. 2007 4.2008 - 09	CS Head of Personnel
<b>Objective:</b> Line managers are supported and guided by Personnel on best practice and duties to ensure that equality of opportunity for disabled people is promoted, unlawful discrimination is eliminated and harassment of disabled people is eliminated. <b>Duties: 1,2,3,4,6</b>			
5.1	Review equal opportunities training and recruitment and selection training to reflect and address the issues raised by disabled employees.	2007 and annually	CS EDM
5.2	Best Value Review of the provision of Occupational Health to ensure reasonable adjustments are appropriately identified and implemented.	2007	CS Director of Corporate Services

**Aim: To increase engagement, involvement and representation of disabled people and eliminate barriers to disabled people participating in public life and decision making.**

<b>Objective:</b> Listening to the views of disabled people <b>Duties: 1,2,3,4,5,6</b>			
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6.1	The Council's Public Performance Survey continues to ask about facilities for disabled people. Aim to increase public satisfaction	Annually	CEXO Head of Policy and Performance
6.2	With partners, report on involvement of disabled people in preparation of schemes and feedback to those who participated. Identify priority areas for action and partnership action	March 2007	CEXO EOO & Alliance Equality and Diversity group
6.3	Develop a database of disability organisations to assist more effective and improved policy and action.	March 2007 Review annually	CEXO EOO

**Aim: To create a culture in the Council that promotes disability equality, increases the consideration of disability equality in all activities and eliminates the potential for unlawful discrimination.**

<b>Objective:</b> Increase awareness of disability equality, the barriers faced by disabled people and the new duties through continued delivery of training. Equal Opportunities and diversity training and recruitment and selection training is included in management competency framework			
<b>Duties: 1,2,3,4,5,6</b>			
7.1	1. Additional 300 staff trained annually in Equality and Diversity/20 courses run 2. 100 staff trained on Disability Confident 3. Review training to reflect and address the issues raised by disabled employees. 4. Following elections, equal opportunities, including disability, are included in training for all new members trained.	1. 2006 – 09 2. 2007 3. Annually 4. Dec 2007	1 CS EDM 2. CS EDM 3. CEXO EOO & CS EDM 4. CEXO EOO & CS EDM
7.2	Relevant staff are trained in the Standards of Community Engagement. Training of trainers complete. Further training to be rolled out to staff across Community Planning Partnership.	2006 - 09	ECS Head of Community Learning
<b>Objective:</b> Policies and functions have regard to the need the elements of the general duty. Staff undertaking EIA are informed and understand the requirements.			
<b>Duties: 1,2,3,4,5,6,</b>			
8.1	1. Screen functions and policies for relevance to disability equality. Services set priorities for equality impact assessment (EIA). 2. Priority list to be reviewed following full analysis of community involvement. Priority action list finalised for EIA and agreed by management teams.	1. Dec 2006 2. April 2007	All Services Equalities working group
8.2	1. Staff guidance on EIA completed 2. Training for relevant staff to undertake and understand EIA 3. EIA undertaken according to priority timescale 4. Progress on EIAs in Quarterly Performance Reports	1. Dec 2006 2. Dec 2006 & as needed 3. From April 2007 4. From Oct 2007	1. CEXO EOO 2. CEXO EOO 3. All services 4. All services
<b>Objective:</b> Implementing, publishing and monitoring the scheme			

<b>Duties: 1</b>			
9.1	Scheme and action plan are prepared, approved at Committee and published on HC intranet and made widely available.	Dec 2006	CEXO EOO
9.2	1.Review arrangements for member/officer monitoring of the Scheme 2. Progress reported as part of corporate performance report.	1. May 2007  2 Nov each year	CS Director of Corporate Services
9.3	Scheme and action plan is reviewed and revised every 3 years.	Dec 2009	CEXO EOO
<b>Objective:</b> Community Planning partners to work in partnership wherever possible, share good practice and mainstream disability equality in Community Planning <b>Duties: 1,2,3,4,5,6</b>			
10.1	Work with partners to produce robust baseline information on disability in Highland using sources form across agencies.	Ongoing Review annually	Alliance E & D Group and IMG
10.2	1. Partnership approach to Equal Opportunities approved 2. Develop partnership Action Plan	1. Dec 2006  2. March 2007	Alliance E & D Group

### Education Actions

<b>Objective:</b> Disabled children and young people have access to educational opportunities <b>Duties: 1,2,4,6</b>			
11.1	Ensure the new duties for education are integrated in the Children's Plan performance framework. 12 specific actions have been identified with governance and scrutiny through the Joint Committee for Children and Young People.	April 2007	ECS Support For Learning Manager

#### Key to Service abbreviations:

CS Corporate Services

CEXO Chief Executive's Office

ECS Education, Culture and Sport

PAS Property & Architectural Services

<sup>1</sup> Improving Life Chances of Disabled People, Prime Minister's Strategy Unit 2005

[http://www.strategy.gov.uk/downloads/work\\_areas/disability/disability\\_report/pdf/disability.pdf](http://www.strategy.gov.uk/downloads/work_areas/disability/disability_report/pdf/disability.pdf)

<sup>2</sup> The Duty to Promote Disability Equality, Statutory Code of Practice, Scotland, Disability Rights Commission [http://www.drc.org.uk/Docs/32246\\_tso\\_DRC.doc](http://www.drc.org.uk/Docs/32246_tso_DRC.doc)

<sup>3</sup> Highland Council Corporate Plan, 2004 - 2007

<sup>4</sup> National Standards of Community Engagement, Community Scotland

[http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/webpages/cs\\_006607.hcsp](http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/webpages/cs_006607.hcsp)

<sup>5</sup> 'Putting disability at the heart of public policy in Scotland – Priorities for action', Disability Rights Commission, 2006

[http://www.disabilitydebate.org/PDF/Changing\\_Britain\\_for\\_Good\\_Scotland.pdf](http://www.disabilitydebate.org/PDF/Changing_Britain_for_Good_Scotland.pdf)