

Disability Equality Scheme 2009-2010

‘making equality a reality for disabled people’

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To place diversity at the heart of all activities



Foreword

Welcome to Family Housing Association's Disability Equality Scheme. It is part of our wider **Diversity Matters** Strategy and together they explain how we at Family Housing aim to address the needs of disabled people in everything we do.

The talent and potential of many disabled people is not always valued or recognised. We will ensure that when we deliver services we think about how we can meet the diverse needs of disabled people. We will continue to acknowledge the skills and abilities of disabled people who apply for jobs and are employed by the Association.

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The Purpose of our Disability Equality Scheme

The Disability Discrimination Act 1995 (DDA) aims to improve opportunities for disabled people. It is unlawful to discriminate against people because they experience disability. Although the law has been in place for over 10 years, there are still many barriers that stop disabled people having equal access to work and services. In 2005 the Act was updated and included a duty to publish a Disability Equality Scheme.

What is a Disability Equality Scheme?

A Disability Equality Scheme sets out our plans for making equality happen for disabled people who come into contact with Family Housing and the communities we serve. The Scheme also includes a number of things we must consider under the specific duty. For example, our Action Plan must include measurements of progress for disabled people in the areas of employment and access to services.

Further information about the Disability Discrimination Act 2005, including what the new duties mean can be found in the section called 'What the Law Says.'

The purpose of our Disability Equality Scheme is to:

- Show how we have involved disabled people in decisions we have made.
- Find out what barriers are faced by disabled people and take steps to remove them.
- Find out disabled people's priorities.
- Make sure we meet our legal duties.
- Tell people what our responsibilities are. This includes telling: managers, employees, our partners in the public, voluntary and private sectors, as well as residents.
- Explain how we make things fairer for disabled people in planning our services and what we do.
- Show how the Scheme links to other equalities objectives and priorities.
- Provide information about our involvement, assessments and training arrangements.
- Work in partnership with other disability organisations to prevent ignorance and prejudice in the wider community.
- Show what has changed as a result of involvement and **set out actions to demonstrate** how we will put the Scheme into practice.
- Monitor and check what we are doing and report each year.

The National and Local Context

The National Context

There are an estimated 11 million disabled adults in the United Kingdom (1 in 5 of the total adult population) and 770,000 disabled children. Many of these disabled people often have less obvious or non-visible impairments.

Disabled people have fewer opportunities than non-disabled people in many areas of life. For example, they are more likely to have fewer opportunities in terms of employment, income and education. Disabled people are also more likely to face discrimination and negative attitudes ('Improving the Life Chances of Disabled People,' Prime Ministers Strategy Unit 2005).

The same report set the government many goals for achieving equality for disabled people by 2025. Some of the main goals include:

- Ensuring that families with disabled children benefit from improvements in childcare provision and early education. Also, to make sure that the needs of children, young people and their families are at the centre of service design and provision.
- Helping to improve the way services are provided to disabled young people as they move into adulthood.
- Improving support for disabled people to get into (and stay in) employment.
- Moving towards independent living through individual budgets and giving disabled people greater control over the mix of support they receive.
- Improving outcomes for disabled people.

More information is available from the Office of Disability Issues at:

<http://www.officefordisability.gov.uk>

The Local Context

Disability is defined by the Census 2001 as a Limiting Long-Term Illness (LLTI). Below is a summary of Census 2001 on LLTI.

Table 1. Limiting Long-Term Illness, Census 1991 and Census 2001

	% of population with a Limiting Long-Term Illness		Difference
	1991	2001	
Birmingham	14	19.7	5.7
West Midlands	13	18.9	5.8
England	12.8	17.9	5.1

Sources: 2001 Census, 1991 Census © Crown Copyright.

Table 1 above shows that the percentage of people with LLTI has risen significantly from 1991 to 2001 both nationally and locally. A recent survey showed that over 6.8 million UK disabled people are of working age, which represents 19 percent of the working population

Most disabled people develop their impairment during their lives. As a result, the percentage of disabled people rises with increasing age. Of the workers aged between 50-64 years, 33% are disabled. About 11% of full-time employees, and 15% of part-time workers, provide unpaid care for someone with a limiting long-term illness.

Table 2 Limiting Long-Term Illnesses by Age, Birmingham, 1991 and 2001

	% of population with a Limiting Long-Term Illness		Difference
	1991	2001	
0-15	3	5.3	2.3
16-29	4.2	7.0	2.8
30-44	7.4	13.2	5.8
45-59	17.8	26.7	8.9
60-64	29.5	41.5	12
65-74	34.8	47.1	12.3
75 or older	54.1	65.5	11.4

Sources: 2001 Census, 1991 Census © Crown Copyright

Birmingham City Council provides a range of services to disabled people; over 26,000 people use Social Care & Housing disability services. There are over 45,000 Blue Badge scheme users. It is estimated that Birmingham has more than 4,000 people with a severe or profound learning disability and 25,115 people with a mild or moderate learning disability¹.

¹ Department of Health (2001): Valuing People: A New Strategy for Learning Disability for the 21st Century.

What the Law Says

Who is disabled under the Disability Discrimination Act?

The Disability Discrimination Act (DDA) defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

The Disability Discrimination Act 2005 amends the definition of disability, removing the requirement that a mental illness should be 'clinically well-recognised'.

People with HIV, cancer and multiple sclerosis will be covered by the DDA effectively from the point of diagnosis, rather than from the point when the condition has some adverse effect on their ability to carry out normal day-to-day activities.

Whilst working to the DDA definition of disability the Association also aspires to what is known as the Social Model of Disability.

The Social Model is not a law, however, it is the guiding principle found in our [Diversity Matters Strategy](#).

What is the Social Model of Disability?

The Social Model was developed by disabled people to challenge the Medical Model of disability. The main difference between these two models is the location of the 'problem'. In the Medical Model, disabled people are unable to take part in society as a direct result of their impairment.

The Social Model says that people with impairments are disabled by physical and social barriers. The 'problem' of disability results from social structures and attitudes, rather than from a person's impairment or medical condition. This represents the key to understanding and implementing the Disability Equality Duty.

The Association will carry out its duties under disability legislation. This includes:

- The Disability Discrimination Act (DDA) 1995 as amended by the Disability Discrimination Act 2005
- The Special Educational Needs and Disability Act 2001
- The Children Act 2004 (which includes provisions for disabled children)
- Buildings Regulations 2000 and Part M requirements – building regulation amendments 2003

- **Disability Discrimination Act (DDA) 2005**

- The new general duty means that we must, in carrying out our functions, (what we do) have due regard to:
 - promote equality of opportunity between disabled people and other people;
 - eliminate discrimination which is unlawful under the Act;
 - eliminate harassment of disabled people that is related to their disabilities;
 - promote positive attitudes towards disabled people;
 - encourage participation by disabled people in public life;
 - take steps to take account of disabled people's disabilities even where this involves treating disabled people more favourably than other people.

The general duty builds upon the duties of the Disability Discrimination Act 1995 including the duty to make reasonable adjustments to make sure disabled people are not placed at a disadvantage when accessing (or receiving) employment, goods, facilities, services, functions and premises.

Further information on the Disability Discrimination Act and other disability equality laws can be obtained by visiting the Disability Rights Commission's website at:

Website: <http://www.drc-gb.org>

Or contact:

Telephone: 08457 622 633
Textphone (Minicom): 08457 622 644
Fax: 08457 778 878

The Equality Bill

The Government's DLR team published a green paper in June 2007, setting out its recommendations for a single equality act for Great Britain. Following a formal consultation period a new Single Equality Bill was published in April 2009. The new Bill will have a major impact on all housing providers as it will replace existing legislation, add new legislation and a new public sector duty which housing associations will be required to comply with.

The Equality Bill covers some of the following areas:

- A new public sector duty to consider reducing socio-economic inequalities
- Reduce the legislation relating to equality, and around 100 statutory instruments into a single act with the aim of making the law more accessible and easier to understand
- Public authorities will have to consider how their policies, programmes and service delivery will affect people within the different strands of diversity
- Introduce a single equality duty, which will require public bodies to plan for the diverse needs of their workforce and the communities they serve; the duty is extended to age, religion or belief and sexual orientation, as well as pregnancy and maternity and gender reassignment

- Make further regulations outlawing unjustifiable age discrimination by those providing goods, facilities and services
- Strengthen enforcement, for example, by allowing tribunals to make wider recommendations in discrimination cases
- Enable employers to take positive action in relation to the recruitment of under represented groups when selecting between equally qualified candidates
- Strengthen the law to protect people who are associated with a protected person eg carer of a disabled person

The Bill is expected to receive Royal Assent in spring 2010 and the majority of the provisions are expected to come into force in October 2010.

Responsibility for the Disability Equality Scheme

- The Board of the Association has overall responsibility for the Disability Equality Scheme.
- The Chief Executive and Directors are responsible for ensuring that the Scheme is put into action.
- Employees and our colleagues in partner agencies all have a role to play in helping us to meet our duty to promote equality for disabled people.
- The arrangements described below ensure that we co-ordinate the work involved in putting the Scheme into practice.
- A Diversity Matters Group made up of staff from across the Association and resident representatives. In addition, a Board member Champion on Diversity is in place to ensure the implementation of the Diversity Matters Strategy and the Disability Equality Scheme
- Monitoring and reporting will take place through the group to the main Board on an annual basis.

Meeting the General Duty

Equality Impact Assessments (EIA's)

We need to understand whether our services, policies and procedures are meeting everyone's needs and that people who need our services have access to them. To help us to do this we carry out Equality Impact Assessments.

What are Equality Impact Assessments?

An Equality Impact Assessment is a way of deciding whether an existing or proposed policy, procedure, practice or service does (or may) affect people differently, and if so, whether it affects them in an adverse way.

The Association has a process linked to service reviews to ensure Equality Impact Assessments are carried out in all service areas. In addition new or revised policies or projects are subject to an EIA as they are developed. Disability issues are considered alongside other equality issues such as race and gender. Required actions from the EIA are incorporated into service planning, and are monitored and reported on to relevant Committee and Board.

Access to Services, Information and Communication

Family Housing Association is a service provider and this means under the Disability Discrimination Act we have a legal duty to make reasonable adjustments including where necessary treating disabled people more favourably than other people; and that disabled people do not experience unlawful discrimination.

Disability Access Audits

The purpose of a disability access audit is to find out what barriers disabled people face to accessing services. These barriers could be for many reasons such as:

- Not having a policy on monitoring accessible parking
- Lack of auxiliary aids such as an induction loop for hearing aid users
- Not considering colour contrasting for visually impaired users
- Not having a policy or procedure for getting disabled people out of a building

When any barriers have been identified we then have to look at ways of removing these barriers and making adjustments. The Association has recently undertaken DDA audits of office accommodation as well as communal areas in housing stock. There are also a number of established Disability Access Groups and organisations representing disabled people across the City and we have, and will continue to, use these groups to advise the Association on improving access to services for disabled people.

Accessible information

We are currently in the process of an ongoing 'Getting to Know You' campaign through which we are collecting information about our customer's communication and access preferences and requirements. This information will then be used to tailor our service delivery to customers, by proactively meeting their communication preferences. We also have in place a working group to look at access and customer care, who will also be involved ensuring information is in an accessible format and style, and who are also looking into plain English accreditation processes.

Involvement

Family Housing is committed to involving disabled people and giving disabled people every opportunity to comment on how our services and employment practices are provided and developed. The Association also recognises that it is important disabled people are represented in all the ways in which we consult. **For example, monitor the diversity of our involved residents through annual impact assessments with the aim of ensuring that involved residents reflect the diversity of the communities we serve. In addition, customer satisfaction information is collected across service areas and monitored by the six strands of diversity, including disability, to identify any trends in satisfaction or dissatisfaction.**

We will involve disabled people on employment matters and the services we provide including:

- Finding out what barriers disabled people face and taking steps to remove them e.g. through disability access audits.
- Asking if disabled people are happy with the services we provide e.g. through satisfaction surveys, focus groups.
- Setting priorities and helping us to plan things.
- Looking at the impact of existing and proposed policies.
- Monitoring and checking how well things are done.
- Reviewing and revising the Scheme and providing feedback on how disabled people's views have influenced our decisions.

Resident Involvement Strategy

The Resident Involvement Strategy provides details of our overall approach to consulting and involving people who use our services. The strategy commits the Association to ensuring "that consultation is accessible to all people who take part". This includes:

- Using accessible venues and equipment.
- Arranging events at reasonable times and dates to make it easier for people to attend.
- Providing/arranging advocacy support for people who request it.
- Ensuring that the needs of people are met through, for example, language interpreters, induction loops, large print or guide communicators.

Monitoring

The Association is committed to monitoring the numbers of disabled people who access services, apply for jobs and the experience they have of the Association in general. We have a system which assists in monitoring disabled applicants for jobs. We also monitor whether disabled employees have fair access to training and promotion, and the extent to which they are subject to grievance and disciplinary procedures.

We will provide the results of monitoring information through the **Equality and Diversity performance monitoring framework**, the results of equality impact assessments and where appropriate within the annual report of the Scheme.

Publishing Results of Assessment, Involvement & Monitoring

Information will be reported to and monitored by the Diversity Matters working group, Executive Team, Committee and Board. Involvement will be reported through strategy updates and the annual Resident Involvement impact assessment.

The yearly report for this Scheme will **be incorporated into update reports on the Diversity Matters strategy**. We will involve disabled people further both internally and externally and provide information on our disability equality plans and activities. We will also show what has changed as a result of involving disabled people.

We will inform our customers and employees about this information through:

- 'Good Neighbours' our newsletter which is delivered to all tenants.
- The Equalities and Diversity section within the website and intranet. We will provide information there about our work to promote equality.

Comments and Complaints

Members of the public who feel that they have experienced disability discrimination in the way the Association has treated them may make a complaint through its Complaints procedure. **Complaints are monitored by theme and diversity including disability to identify any trends in dissatisfaction.**

We have grievance and disciplinary procedures in place and a policy on dealing with complaints of harassment relating to employees.

We also have a 'whistleblowing' procedure, which extends the protection for employees who want to report bad practice without fear of being victimised as a result.

We will take all complaints seriously and will not tolerate any form of discriminatory behaviour.

Training

We will train our staff (and Board Members) so they are more aware of and have skills to take positive action in removing barriers placed in the way of disabled people by society.

Equalities and Diversity training will provide employees with the skills and knowledge they need to ensure that equalities becomes part of our day to day activities. The plan will also help to create a culture of diversity.

The training is supported with visible and strong leadership from the top and every manager has individual responsibility and objectives, as with anything else they deliver.

The approach includes:

- Deciding the content of the equality/diversity elements to be included in training initiatives from service delivery and employment perspectives.
- Finding out what the different training needs for employees and Board members are.

We will evaluate the overall equality and diversity training programme on a yearly basis. If there is evidence to show that the training needs to be changed, we will take action to ensure that this happens.

Employment Equality

The Association values its disabled employees and wants to increase the number of disabled people that it employs. We are a Disability Symbol user which means we have made five commitments as an employer:

- 1 a guaranteed job interview for those who meet the essential requirements for a job
- 2 to consult disabled employees regularly
- 3 to keep employees if they become disabled
- 4 to improve the knowledge of employees about disability and
- 5 to check progress each year, plan ahead and let employees know about progress and future plans

Employment Monitoring

We monitor the number of disabled people that we employ and we will monitor on a quarterly basis to ensure that our workforce continues to be representative of the wider community.

However, we have a significant number of employees who have not declared their impairment. We know that we need to do more so that disabled people feel confident that they can declare their impairment and not face discrimination during the recruitment process, as our employees or in progressing their careers.

Creating a culture so Disabled People can declare their impairment

We will create a culture where people feel comfortable in declaring their impairment so that we can help make any reasonable adjustments that are necessary and they feel comfortable in attending our Disabled Workers Group.

Retaining our Disabled Employees

If an employee becomes disabled or their disability gets worse we look at what reasonable adjustments we can make to assist them stay in their current job. If they cannot do their current job then we look at how we can keep the person in an alternative job.

Our Disability Action Plan

We have grouped our actions in the plan that follows into two key areas. All actions have been **incorporated into the delivery of projects contained with the delivery plan for "More than a Landlord ...Family"**.

Providing Access to Services

We aim to remove barriers to obtaining the Association's services and will seek to ensure that the services provided are those that are required.

We are committed to do this by:

- Providing services fairly to all disabled people.
- Involving disabled people appropriately about their needs, whether they are happy with the services they use, and seeking their views on how new facilities are provided or designed.
- Identifying the needs of disabled people and acting to meet those needs.
- Providing information about our services clearly and in a variety of formats accessible to disabled people.
- Undertaking Equality Impact Assessments to assess how services are provided to disabled people, (including audits of our own services with the help of disabled people to remove barriers to access). The results of these will highlight areas for improvement, which will be dealt with through service plans.
- Put into action the Aids and Adaptations capital programme provision.
- Embracing inclusive design and inclusive services in terms of designing, managing and monitoring the built environment.
- Ensuring that we monitor and pro-actively address any harassment perpetrated against disabled people.
- Working with our agents providing services on our behalf to take similar initiatives.
- Monitoring our performance against agreed targets and seeking continuous improvement, reporting progress to Board
- Monitoring and checking complaints and suggestions and improving services through these.

Employment and Governance

The Association's Equal Opportunities in Employment Policy already demonstrates our commitment to achieving equality of opportunity for disabled people in employment. We will build on this in:

- Recruitment - by encouraging applications from disabled people and ensuring that the application, short-listing and interview processes gives them equal opportunity.
- The working environment - by taking all reasonable steps to ensure that the working environment does not prevent disabled people from taking up or staying in employment with us.

- Career development - by ensuring that disabled people have the same opportunity as other employees to develop their full potential within the Association.
- Retention of newly disabled employees – by making every effort to ensure that any employee who becomes disabled stays in employment and is fully supported in maintaining a role appropriate to his or her experience and abilities.
- Work experience - by ensuring that work placement opportunities within the Association, are made available for disabled people.
- Employees training - by making employees throughout the Association more aware of the circumstances of disabled service users and colleagues and changing behaviour, where necessary, to fulfil potential in service delivery and employment.
- Monitoring our performance against agreed targets and seeking continuous improvement, reporting progress to Board.
- A commitment to work force and community profiling.
- Ensuring Board is representative of the wider population.