
REPORT TO:	Finance & Management Committee	AGENDA ITEM: 10
DATE OF MEETING:	Thursday 30 November 2006	CATEGORY: DELEGATED
REPORT FROM:	Deputy Chief Executive	OPEN:
MEMBERS' CONTACT POINT:	Mike Greenway (ext 8705)	DOC:
SUBJECT:	DRAFT DISABILITIES EQUALITY SCHEME	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE:

1.0 Recommendation

1.1 It is recommended that:

The South Derbyshire District Council Draft Disabilities Equality Scheme be approved and published to be consulted upon as set out below.

2.0 Purpose of Report

2.1 To present the Council's Draft Disabilities Equality Scheme and consider proposals for wider stakeholder consultation in early 2007.

2.2 The draft scheme is currently being finalised and will be despatched separately in readiness for the committee's meeting 30 November 2006.

3.0 Background

3.1 Public sector authorities will have a statutory 'general' duty (the duty) from 4 December 2006, to promote equality of opportunity amongst people with disabilities.

3.2 The duty is set out in the Disabilities Discrimination Act 2005 (the act) and allied to it is a series of specific duties for public authorities to do whatever they can to eliminate harassment and discrimination to people with disabilities in the course of their activities as an employer, a service provider and a community leader.

3.3 A key aspect of the requirements of the act is to develop and publish an authority's arrangements and proposals for fulfilling the duty and specific duties as referred to above. This must be done through a Disabilities Equality Scheme (DES), which should be produced and published in readiness for the introduction of the duty on 4 December 2006.

4.0 Disabilities Equality Scheme (DES)

- 4.1 To enable authorities to respond to the requirements of the act, a statutory code of practice has been produced. Within this it sets out the key stages of developing and publishing a DES and what specific components need to be included in it.
- 4.2 In respect of its production, a fundamental requirement is to engage people with disabilities and this must be instigated right at the start of its development. The term 'disabilities' does not just cover widely recognised disabilities such as sensory impairments and problems with mobility, it also includes a wide and diverse range of conditions such as cancer and HIV. The DES must state how the authority has engaged people with disabilities
- 4.3 Other aspects that must be included in the DES are details of how the authority will assess impacts for disabilities (both positive and negative), a detailed action plan for delivering the duty and specific duties and arrangements for how it will review the scheme and publish results.
- 4.4 The statutory code acknowledges that public authorities need to be realistic about what appears in their first DES and it is recognised that the focus of the Council's first scheme will be a 'plan to have a plan'. Like other schemes addressing equalities, it is this first one that aims to put essential building blocks in place in order for the authority to achieve effective outcomes in the future.

5.0 Developing the South Derbyshire District Council DES

- 5.1 Initial consultation has been undertaken with individuals and representatives of groups on a one to one basis to gather information and to inform the development of the draft scheme. These have worked very well indeed.
- 5.2 At the one to one meetings, it was discussed with consultees what their experiences of the Council were, in terms of an organisation providing key services and where improvement and further development can be made. Common areas identified include:
 - ensuring elected members and staff are aware of how to respond to the individual needs of people with disabilities
 - establishing arrangements for ensuring we engage people with disabilities in our work and development more in the future.
- 5.3 Initial consultation has also taken place with staff through the Joint Negotiating Group (JNG) and the Human Resource Services.
- 5.5 It is proposed that the draft DES be the subject of a second round of consultation with disabled people, employees and other key stakeholders and partner organisations, in order to finalise the scheme and action plan. This will commence in January 2007.

6.0 Financial Implications

- 6.1 There are no financial implications arising from this report. However specific financial and resource implications may need to be considered in the future by the relevant policy committees on individual issues as they arise.

7.0 Conclusions

- 7.1 The DES will guide the Council in putting the necessary arrangements and processes in place to help it promote equality of opportunity for disabled people. It will support this Council's developing programme of promoting equality and diversity across the organisation and the wider community.
- 7.2 The draft DES is based on consultation with a range of people and this has provided a valuable insight into where the Council is currently at in terms of disabilities equality and what needs to be done in the future.
- 7.3 The next round of consultation will build on the work achieved so far.