

DISABILITY EQUALITY SCHEME

December 2006 - October 2007

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FOREWORD

The Commission for Racial Equality is pursuing an urgent and ambitious agenda to combat discrimination, reduce inequality, blunt the threat of the far right and reverse the trends towards racial segregation.

There is now a growing consensus that we need to build an integrated society where diversity is celebrated, but where difference does not have to mean division, where everyone has the chance to participate in society and where one's origins do not dictate one's future.

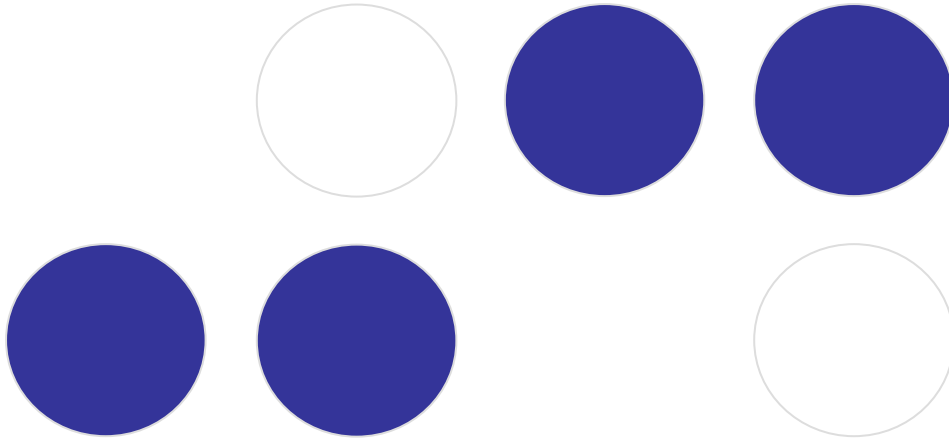
Racial equality has always been our focus; however, the creation of the disability equality duty has given us an opportunity to expand our field of knowledge and our understanding of the barriers that disabled people face in their lives. We are committed to turning this understanding into action, not just in the next year but also in the CEHR.

The Disability Discrimination Act 2005 (DDA) places a general duty on public authorities to promote disability equality. The duty provides a framework within which public authorities can carry out their functions more effectively, and tackle discrimination and its causes proactively, by making disability equality part of all their decisions and activities.

Like the vast majority of public bodies, the CRE is subject to the disability equality duty, which requires us to prepare and publish a scheme outlining how we propose to make equality happen, both for disabled people who use our services, and for those who work with us. This scheme sets out how we plan to meet our obligations under the DDA, particularly how we will integrate disability equality into our current work throughout the lifetime of the CRE and beyond.

It is our intention to use our integration agenda to promote disability equality, so that disabled people have every opportunity to participate fully in society.

Professor Kay Hampton
Chair, The Commission for Racial Equality



THE COMMISSION FOR RACIAL EQUALITY (CRE)

OUR MISSION STATEMENT: We work for a just and integrated society, where equality and diversity are valued. We use both persuasion and our powers under the law to give everyone a fair and equitable chance to live free from fear, discrimination, prejudice and racism.

THE COMMISSION FOR RACIAL EQUALITY

The Commission for Racial Equality (CRE) is a publicly funded, non-governmental body set up under the Race Relations Act 1976 (RRA) to tackle racial discrimination and harassment, and to promote equality of opportunity and good relations between people from different racial or ethnic backgrounds. The CRE is governed by 15 commissioners, including a chair, who are responsible for making policy and providing strategic direction. The commissioners are appointed by the Secretary of State for Communities and Local Government, and serve a four-year term.

The CRE has three regional offices in England (London and the south, the Midlands, and the north), and one each in Scotland and Wales, managed by a head of region or director. The CRE also has a number of smaller offices in the English regions, and one in north Wales. The head office in London develops national policies and strategies, provides services, and coordinates work across Great Britain. The other offices are a source of local expertise for the areas they serve and their work reflects and informs national policy (see Appendix 1 for our corporate management structure).

The RRA gives the CRE the following duties:

- to work towards the elimination of unlawful racial discrimination and harassment;
- to promote equal opportunities and good relations between people from different racial groups; and
- to review the effectiveness of the Act, and make recommendations for change to the secretary of state.

To meet these duties, and to help realise our vision of an equal, just and integrated Britain, where people of all backgrounds feel that their lives are enriched by its historic diversity, and where no-one's life chances are affected by their racial or ethnic origins, we:

- provide information, advice and legal representation to people who think they might have been discriminated against or harassed for reasons of race, colour, nationality (including citizenship), or ethnic or national origins;
- advise employers and service providers on how to avoid discrimination and promote equality of opportunity and good race relations, for example by issuing statutory codes of practice, and other guidance;
- investigate organisations where there is evidence that racial discrimination might have occurred, and take legal action against organisations or individuals who instruct or put pressure on others to discriminate, or who publish discriminatory advertisements;
- take compliance action against public authorities which are in breach of their statutory duty under section 71 (1) of the RRA;

- promote awareness of race issues, and help to equip organisations and individuals to play their part in creating a just society;
- fund projects developed by racial equality councils and other voluntary organisations working locally to end discrimination and to promote equal opportunities and good relations between people from different ethnic or racial groups;
- conduct, commission and support research that will provide sound evidence for our work;
- encourage debate on race and related issues;
- advise government and devolved administrations on matters concerning racial equality and integration;
- keep MPs informed, and make sure all proposed legislation takes full account of racial equality; and
- monitor the way the RRA is working, and make recommendations to the secretary of state for communities and local government on how the law might be improved.

More detailed information about our work is available in our annual reports (available on our website).

The CRE's strategic priorities

The CRE's corporate plan provides a framework for action that will help reduce racial inequality and discrimination in Great Britain. The plan for 2006/07 sets two strategic priorities:

1. to leave a strong legacy of work for racial equality, as the CRE reaches the end of its existence; and
2. to continue to work towards a just and integrated society based on equality, participation and interaction.

Building an integrated society

Three years ago, we set ourselves the ambitious goal of changing the way people think about race, and making racial equality a mainstream, not a marginal, concern.

The debate we started in 2004 about multiculturalism has led to serious and widespread debate, and not just in Britain, about citizenship, 'Britishness', and the place of religion in public life.

A survey, which we commissioned, found that most Britons could not name a single good friend from a racial group other than their own.

There is now a growing consensus that we need to build an integrated society where diversity is welcomed, but where difference does not mean division; where everyone has the chance to take part in the decisions that count, and where one's origins do not determine one's destiny. The CRE has identified three essential components of an integrated society:

- equality for people from all backgrounds;
- participation by all sections of society in the processes and decisions that shape the future of the country; and
- interaction between people from all sections of society.

Our role

Our role in achieving an integrated society falls under five main headings:

- 1) As a **leader**, we will continue to encourage debate, and will offer the broadest and most reliable account of the progress Britain has made towards racial equality and integration.
- 2) As a **partner**, we will work with others who share our aims.
- 3) As a **supporter**, we will lend our backing to causes and actions which others may initiate and lead, but which contribute significantly to our own strategic priorities, and support the development of a private and a voluntary sector, which can pursue equality and integration independently of the CRE.
- 4) As an **enforcer**, we will use the full range of powers we have under the RRA to seek changes in policy, practice and behaviour.
- 5) As an **agent of change**, we will influence, encourage and prompt others to bring about the changes in society that we seek.

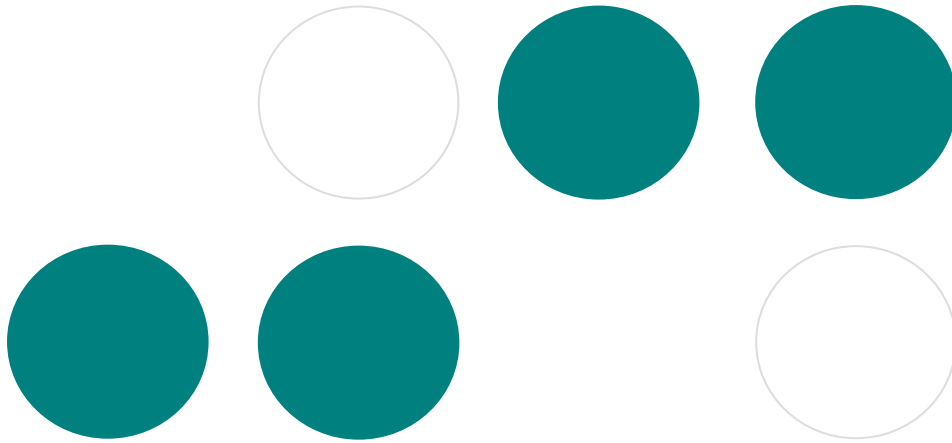
Further information about our plans and activities will be available in our annual business plan, supplemented by directorate operating plans.

The CRE's disability equality scheme will be followed by all our offices and will be put into practice through directorate operating plans and individual work plans.

Complaints or enquiries about our scheme

We always try to work to the standards of service outlined in our charter, *Aiming High for Equality*, which can be found on our website. If you have a complaint or

enquiry about us or our disability equality scheme, you can contact us by email at info@cre.gov.uk, or by post at The Commission for Racial Equality, St Dunstan's House, 201-211 Borough High Street, London SE1 1GZ.



THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS (CEHR)

The Commission for Equality and Human Rights (CEHR) will replace the existing race, sex and disability commissions, and will also have responsibility for equality in respect of age, religion or belief and sexual orientation, and for human rights.

THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

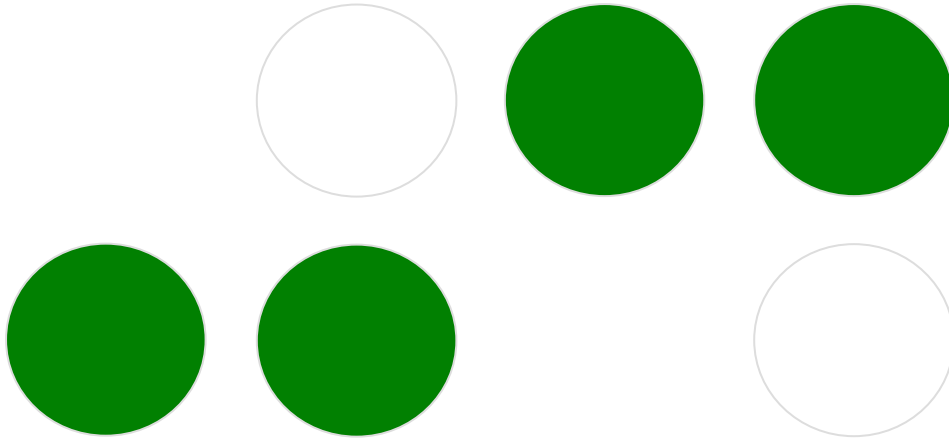
The Equality Act 2006 paved the way for the establishment of a Commission for Equality and Human Rights (CEHR), replacing the existing race, sex and disability commissions, and also taking responsibility for equality in respect of age, religion or belief and sexual orientation, and for human rights.

The CEHR will have all the powers of the existing commissions as well as new ones, to help eliminate unlawful discrimination and promote equality for all. The CEHR will also promote awareness and understanding of human rights and encourage public authorities to meet their responsibilities under the Human Rights Act 1998. New powers to take human rights cases will give a new arrow to the bow of many minorities who suffer discrimination.

The CEHR will cover England, Scotland and Wales, and will have statutory committees responsible for the work of the CEHR in Scotland and Wales. It will also have a statutory disability committee for at least the first five years of its existence. The establishment of the CEHR will give institutional support for the first time to those claiming unlawful discrimination on the grounds of sexual orientation and religion or belief (and, in due course, age), and breaches of the Human Rights Act.

The CRE's disability equality scheme covers the period from December 2006 to October 2007, when the CEHR is expected to come into effect.

The three commissions intend to prepare a single disability equality scheme in preparation for the CEHR.



THE DISABILITY DUTY AND THE CRE'S DISABILITY EQUALITY SCHEME (DES)

All public authorities are bound by a 'disability duty' to make disability equality part of all their decisions and activities, which includes the requirement to produce a disability equality scheme.

INTRODUCTION TO THE SCHEME

The Disability Discrimination Act 2005 (DDA) places a statutory general duty on all 'public authorities'¹ to promote disability equality. The duty provides a framework within which public authorities can carry out their functions more effectively, and tackle discrimination and its causes proactively, by making disability equality part of all their decisions and activities.

General duty

Under the general duty, in carrying out their functions, public authorities must, have 'due regard' to the need to:

- (a) eliminate discrimination that is unlawful under the DDA;
- (b) eliminate harassment of disabled people that is related to their disabilities;
- (c) promote equality of opportunity between disabled people and others;
- (d) take steps to take account of disabled people's disabilities, even when that involves treating disabled people more favourably than others;
- (e) promote positive attitudes towards disabled people; and
- (f) encourage participation by disabled people in public life.

Specific duties

The general duty is supported by specific duties, introduced under section 49D of the DDA² to make sure public authorities are in a position to meet the duty to promote disability equality. These regulations require public authorities to produce and maintain a disability equality scheme (DES), demonstrating how they intend to fulfil the general and specific duties.

The CRE's disability equality scheme (DES)

This scheme states the CRE's commitment to making disability equality integral to all our functions, services and policies, and describes our strategy for meeting the statutory general duty and the specific duties from December 2006 – October 2007, including a timetabled, realistic action plan. The scheme focuses on this period as the CRE will join the CEHR in October 2007. Specifically, the 2006-07

¹ The Act excludes a number of authorities from the general duty, including both Houses of Parliament, the Scottish Parliament, the Security Service, the Intelligence Service, the Government Communications HQ (GCHQ) and units of the armed forces required to assist GCHQ.

² Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 and Disability Discrimination (Public Authorities) (Statutory Duties) Scotland Regulations 2005

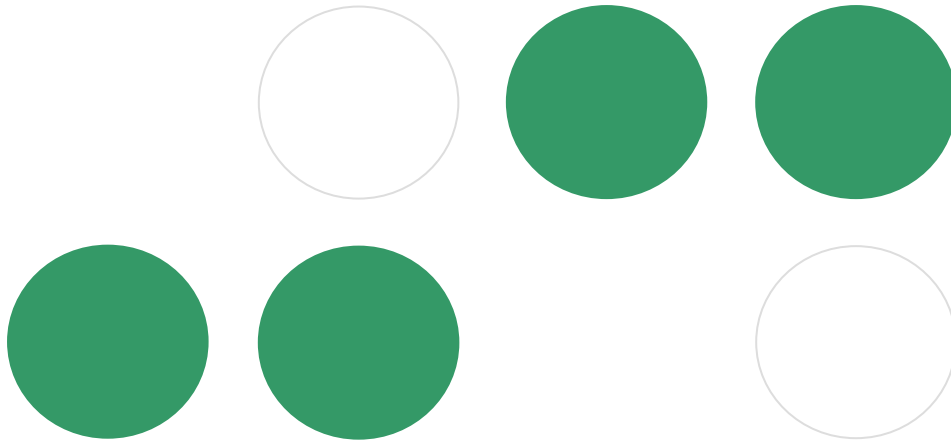
DES explains:

- how disabled people were involved in developing the scheme;

and describes our arrangements for:

- collecting information on the effects our policies and practices might have on disabled people;
- assessing, and consulting on, the likely effects of proposed policies on equality for disabled people;
- implementing the scheme through an action plan;
- publishing the scheme;
- monitoring and reviewing the effectiveness of the steps set out in the action plan; and
- training for staff on the duties.

The 2006-09 DES is available on our website at www.cre.gov.uk.



INVOLVING DISABLED PEOPLE

In October 2006, at a specially organised event, the CRE asked disabled stakeholders, external and internal, for their views on how the CRE should develop and implement its disability equality scheme.

'INVOLVEMENT EVENT'

In September 2006, the CRE decided to hold an event to involve disabled external and internal stakeholders in considering how the CRE should develop and implement its disability equality scheme (DES). We were also hopeful that we would be able to find people among those who attended who might be interested in forming a reference group to give ongoing advice on the scheme.

Over 50 disabled organisations in England, Scotland and Wales, particularly those with a remit for both ethnicity and disability, were invited to an event at the CRE's head office on 19 October 2006 (see Appendix 4 for a list of organisations which attended). A draft outline of the scheme was used to trigger discussion of the barriers facing disabled people, with a specific focus on the general duty requirements, and the CRE's priorities for action.

The event was facilitated by external consultants, and was divided into a morning session, with external disabled stakeholders, and an afternoon session, with CRE employees, which focused on employment aspects of the duties. Organisations unable to attend, but interested in contributing to the development of the scheme, were interviewed by telephone.

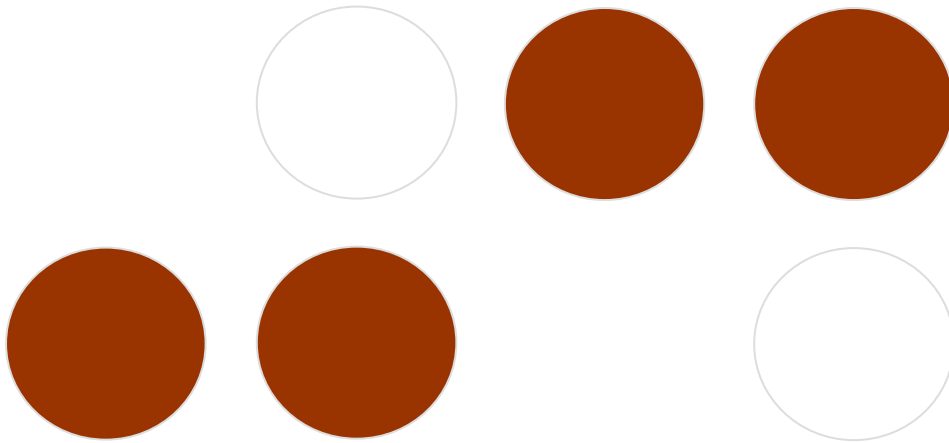
A draft scheme was drawn up, discussed with the CRE equality steering group and corporate management team, and then approved for publication in November 2006.

Feedback from disabled participants

At the 'involvement event' we heard about what it feels like to be disabled in our society today, and the frustrating, if not defeating, experience of undertaking routine, everyday activities, magnified and made impossible, by, for example, the absence of wheelchair ramps or text printed in accessible font sizes. However, more intransigent than the physical obstacles, they said, were the negative attitudes and behaviour directed at them, for example at their local bank, surgery or petrol station, both by staff and customers.

Britain has a long way to go before disabled people have an equal opportunity to participate and contribute to society. We need to bring about a wholesale shift in our attitudes towards disability and the way we think about the integration of disabled people. In particular, stakeholders at the involvement event emphasised the importance of using a social rather than a medical model of disability (see Appendix 2) as the framework for our conduct, and called for a wholesale rethinking of our assumptions about disability and the language we use to talk about it. Areas deserving priority include health, where the professional standards of conduct set by doctors and nurses can make a big difference to disabled patients; education; and the media, which often perpetuates stereotypes about disabled people. Positive role models of disabled people in all walks of public life will probably make the most difference for disabled people.

Disabled people from ethnic minorities reported facing additional barriers to participation and equality; for example, people who are not fluent in English find it even more difficult and frustrating to navigate through the maze of services and support available for disabled people. Cultural factors can also have a bearing, for example, when disability is seen as something to be ashamed of or kept out of the public eye. It was clear that disabled people from ethnic minorities thought they needed dedicated networks providing support and information and, above all, a higher profile, in any action for equality and integration as we move into the new CEHR.



MEETING THE GENERAL DUTY

The general duty requires public authorities to give ‘due regard’ to promoting equality of opportunity between disabled and other people, by taking a proactive approach, and making disability equality part of all decisions and activities.

MEETING THE GENERAL DUTY

We recognise that the barriers that disabled people face must be tackled if we are to achieve an integrated and just society and will use all the arrangements we have put in place to promote racial equality and social integration to promote disability equality as well, so that disabled people have every opportunity to participate fully in society. We are confident that the broad principles of our approach to working for better integration, as outlined below, enable us to meet the general disability duty, and fit well with the social model of disability.

➤ **Leadership**

We will continue to encourage debate, and will offer the broadest and most reliable account of the progress Britain has made towards racial equality and integration. For example, we will:

- appoint a member of the CRE's corporate management team to champion disability issues in the organisation and externally, and to encourage others to include disability equality considerations in their strategic planning and decision making processes.

➤ **Equality for all**

Everyone is treated equally and has a right to fair outcomes, and no one receives unearned advantage because of who or what they are. For example, we will:

- conduct equality impact assessments of our policies to make sure we meet the requirements of the DDA;
- train our staff to understand and use a social model of disability;
- continue to improve the accessibility of our services for disabled people;
- conduct workplace assessments, to evaluate the needs of disabled employees;
- make sure that disability targets are included within our tendering procedures and contracts for future work.

➤ **Partner and supporter**

As a **partner**, we will work with others who share our aims and build links with those who have expertise in disability matters at all levels of our work.

As a **supporter**, we will lend our backing to causes and actions, which others may initiate and lead, but which contribute significantly to our own strategic priorities. For example, we will:

- set up a disability equality reference group involving both internal and external stakeholders;

- continue to work with the Disability Rights Commission to conduct and commission research on issues relating to ethnic minority disabled people.

➤ **An agent of change**

As an **agent of change**, we will influence, encourage and prompt others to bring about the changes in society that we seek. For example, we will:

- raise awareness of ethnic minority disabled people's needs through our current work, via negotiation of public sector agreements with government departments
- make sure that disability equality is promoted both internally and through our partners, where possible.

➤ **Participation and empowerment**

All groups in society share in decision-making, but also carry the responsibilities of making society work. We will:

- support initiatives that encourage disabled people to play a full part in civic and public life.

Our commitment – within the life of the CRE

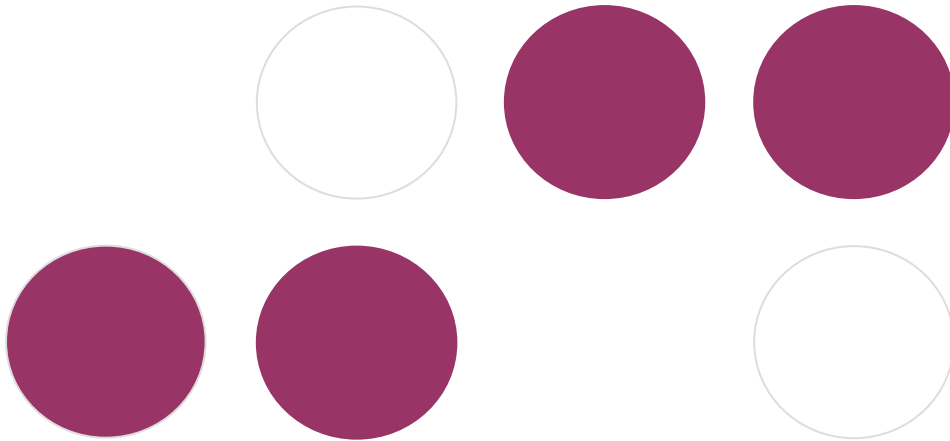
Our commitments to delivering these guiding principles are contained in our action plan (see Appendix 3). The activities described there will be built into directorate and team or individual work plans.

The reciprocity of some of the principles means that there will be some overlap in the activities described in the action plan; in these cases, the activity is placed where it fits best.

The descriptions of the activities in the scheme and action plan do not include specific operational details. Each directorate will use its best judgment as to how to carry out the activities described in the scheme and action plan, based on its available resources. Further details may be found in directorate and team or individual work plans.

Our commitment – planning for the CEHR

With the CEHR due to come into existence in October 2007, the CRE may not be able to take forward some of the suggestions made by participants at our October 2006 'involvement event'. We are therefore committed to putting forward the activities we have included in our action plan for consideration by the CEHR.



MEETING THE SPECIFIC DUTIES

The specific duties offer a framework to help plan, implement and evaluate action taken to meet the general duty.

OBJECTIVE 1 – IMPLEMENTING OUR PLAN

Overall responsibility for implementing our action plan rests with the chief executive, who works closely with the corporate management team (CMT) and the financial and transition committee.

A member of CMT is the CRE's diversity champion and provides strong and accountable leadership on all equality issues at the CRE, including the DES.

Day-to-day coordination of the action plan rests with the quality and equality team, supported by an internal equality steering group, made up of officers from all parts of the CRE. The steering group meets every three months, to deal with any questions arising from the implementation of the DES or other equality and diversity issues, and regularly reports on progress to the CMT and the financial and transition committee.

Directors and heads of regional and country offices are individually responsible for meeting commitments in the action plan through their directorates' operating plans, and for making sure their staff understand their roles and meet their responsibilities.

To make sure members of the equality steering group meet their responsibilities, details of their roles are included within their individual action plans and form part of their annual appraisal.

Our action plan is attached at Appendix 3.

OBJECTIVE 2 – INFORMATION GATHERING TO UNDERSTAND THE EFFECTS OF POLICIES

Knowing how a policy is working in practice is vital to achieving the aims of the general duty. The table below shows the main service and employment areas where we currently collect information about staff and service users.

At present, the information is primarily concerned with ethnicity, but we are committed to ensuring that information about disability is integral to the way we work.

We are only able to build up information about an individual profile if they have requested and received legal assistance from us, or if they use services that ask them to complete a monitoring form. The data is then analysed by the relevant directorate or team and compared with other information, to see if there are any patterns or trends, and what these say about disability equality.

Table1: Main areas where we collect information about staff and service users

Function or policy	Equality profile monitored?	Process used	Responsible Directorate/Team
Employment monitoring data	Yes	HRIS ⁼	Human Resources
Individual applications for assistance (see Appendix 6)	Yes	AXXIA ^{**}	Legal
Legal advice enquiries	Yes	AXXIA	Legal
Legal committee decisions	Yes	AXXIA	Legal
Employment tribunal decisions (CRE-assisted cases only)	Yes	AXXIA	Legal
Applications for funding research projects	Yes	Manual	Communications
Section 44 grants applications	Yes	Manual	Countries, Regions and Communities
Customer complaints	Yes	Excel	Organisational Development
Customer satisfaction surveys	Yes	SPSS [†]	Organisational Development
General advice enquiries	Yes	Call logging form (Sunrise)	Information and Advice Centre (IAC)

⁼ Human resources information system

^{**} Legal case management system

[†] Statistical data collation and analysis

What are we doing?

We have recently introduced a new human resources management information system, which allows us to collect and monitor data by disability, sex, religion or belief, sexual orientation, age and racial group.

To make sure we meet the general duty to promote disability equality, and the specific duties, we will:

- collect accurate, consistent and up-to-date information on disability for all relevant functions and policies in employment (in particular their effect on the recruitment, development and retention of disabled employees) and service delivery;
- submit regular monitoring reports to CMT;
- decide what steps we need to take to deal with any disparities revealed by the monitoring data;
- change policies, if needed; and
- publish the results of our monitoring.

We will consult our disability reference group about the implications of our main strategies and policies for disability equality. This group was set up when we began developing this scheme and is made up of disabled people.

We will choose the best method for monitoring each policy, or policies, in the circumstances. This may include:

- staff surveys;
- qualitative and quantitative surveys of stakeholders, for example customer surveys; and
- public consultation meetings or focus groups.

OBJECTIVE 3 – ASSESSING THE IMPACT AND CONSULTATION

We have reviewed the guidance we have produced for CRE officers on how to conduct race equality impact assessments (REIAs) of our own policies and practices and extended it to include assessments of their effects on disability equality. The revised guidance is about conducting equality impact assessments (EIAs) and should ensure that policy writers, decision makers and other officers take full account of disability issues at the initial stage of developing policies and practices, and that they are part of our wider strategic approach to improving our services.

The aim of an EIA is to:

- identify and highlight the effects that existing and proposed policies and practices might have on different groups;
- take action to reduce or eliminate any identified adverse impact on different groups that cannot be justified before the policy is adopted;
- see if the proposed policy has implications for other policies or practices;
- consider the equality implications of the policy or practice at different stages of the process, from implementation and monitoring to evaluation; and
- make sure all existing and proposed policies and practices promote the statutory general duty as far as possible.

Our EIA process consists of two stages:

- 1) **Initial screening process**
Designed to screen a policy proposal for its relevance to the duty to promote equality.
- 2) **Full impact assessment**
A systematic way of fully assessing a relevant proposed policy, to make sure it will not have adverse effects on different groups.

Stage 1: Initial screening process

The first step in the EIA process is to screen the policy or practice for its relevance to the duty to promote equality.

The screening process consists of three stages, each of which involves asking a series of questions (see Appendix 5). The three stages are:

- identifying the main aims of the policy or practice;
- collecting information; and
- deciding if the policy or practice is relevant to the duty to promote equality.

If the policy is not relevant to the duty (the answer to all the questions is '**No**'), the process ends, and a statement is inserted into the relevant CRE committee report, explaining why the policy does not need a full EIA.

If the answer is '**Yes**' to one or more of the questions, the policy is considered to be relevant to the duty to promote equality and the policy writer or officer concerned then completes the screening form, and launches a full EIA.

Stage 2: Full impact assessment

A full EIA consists of the following eight stages:

- 1) Identify all the aims of the policy and practice.
- 2) Consider the evidence used to conduct the EIA.
- 3) Assess the likely impact of the policy and practice on equality.
- 4) Consider policy alternatives, if necessary.
- 5) Consult formally.
- 6) Decide whether to adopt the policy or practice.
- 7) Make arrangements to monitor the policy or practice.
- 8) Write a report of the EIA, listing all the information, statistics and research used in the screening and full assessment, and outlining the responses received during any consultations, and produce a summary of the findings for publication.

The officer concerned then attaches a copy of the assessment report to the policy document and submits it to CMT, and the relevant committee, for approval.

A flow chart of the CRE's internal EIA process is attached at Appendix 6.

Dealing with adverse impact

If evidence of any adverse impact is found during the EIA process, the policy writer or officer has four options:

- **Change the proposed policy** by satisfying concerns raised by staff or stakeholders, where possible.
- **Consider ways of putting the proposed policy into place** that will remove or reduce its potential for adversely affecting some groups.
- **Find alternative ways of achieving the aims of the policy** that avoid the adverse impact.

- **Justify the policy as originally proposed**, even if it is likely to affect some racial groups adversely, because of the policy's importance – for example, it is designed to meet the needs of a particular group and there is no other way of achieving this.

Wherever possible, the policy or practice should be piloted, and its operation monitored, before it is put fully and formally into effect. Testing the policy first allows officers to monitor its actual effects on a sample group, such as our disability reference group.

EIA training

We have developed a new programme of training for staff, which includes training for policy writers on their responsibilities under the duty.

Consultation and involvement

We plan to review our committee template, to make sure policy writers and officers involved in the process consider disability issues when they are drawing up new policies and strategies, and consult the CRE disability reference group about these.

We always try to include anyone who might have an interest in the policy, starting with our database of people who have taken part in previous consultations.

People's readiness to get involved in a consultation exercise will depend on the policy or practice; however, we will try to ensure that anyone likely to be interested is aware of the role they can play.

Who we will consult

Our work has the potential to affect everyone in Britain. However, we need to be realistic, and make sure our consultation is directed at those likely to be affected most by a particular policy or practice. Most policy proposals will require input from a mixture of the following organisations and disabled groups:

- Organisations of disabled people
- Ethnic minority disabled groups
- Disability Rights Commission (DRC)
- Charity organisations
- Advice networks
- Racial equality councils
- Trade Unions

OBJECTIVE 4 - PUBLICATION OF THE SCHEME

We will publish our DES on our website by the statutory deadline of 4 December 2006. The scheme will be available for downloading in both PDF format and Microsoft Word.

To make the information we publish accessible, we will make our documents available in large print, tape and Braille, on request.

Summaries of documents may also be translated into other relevant languages, again on request.

All CRE publications are in line with our Welsh Language Scheme.

With offices throughout Britain, we are able to provide wide access to our services. These are accessible through:

- website;
- email;
- letter;
- face-to-face meetings, by appointment, with BSL interpreters present when requested;
- telephone, including Minicom; and
- written guidance, publications and fact sheets, available on request, and in the formats mentioned above.

Regular reports on our progress towards implementing our scheme, including the results of assessments and consultations, will be published on our website and in our final annual report.

OBJECTIVE 5 – EVALUATING PROGRESS: MONITORING AND REVIEWING OUR PLAN

To be certain that our scheme is effective, we will go through a three-stage process of evaluation and review during the life of this scheme.

The first stage requires heads of department and responsible officers to provide quarterly updates to the equality steering group on their departments' progress in achieving their published targets. These reports will be submitted to CMT for consideration and discussion, ensuring transparency and accountability at the highest level.

The second stage requires policy officers to review their directorates' policies regularly for any evidence of adverse impact. Directors are responsible for ensuring that this happens, and that targets for monitoring policies are included in their annual operating plans. Details of our review process are given below.

The final stage is an annual review of the plan by the quality and equality team, with support from members of the equality steering group.

Policy review process

If the department finds any adverse impact it will continue to use the policy in question while a review is being undertaken, and will monitor closely the policy's consequences for disability equality in employment and service delivery.

The diversity of policies and functions across directorates makes it difficult to prescribe how each review should be conducted, although Table 1 below gives an example of the process likely to be followed.

In carrying out the review, the director should consult staff, clients or users, and any other relevant groups.

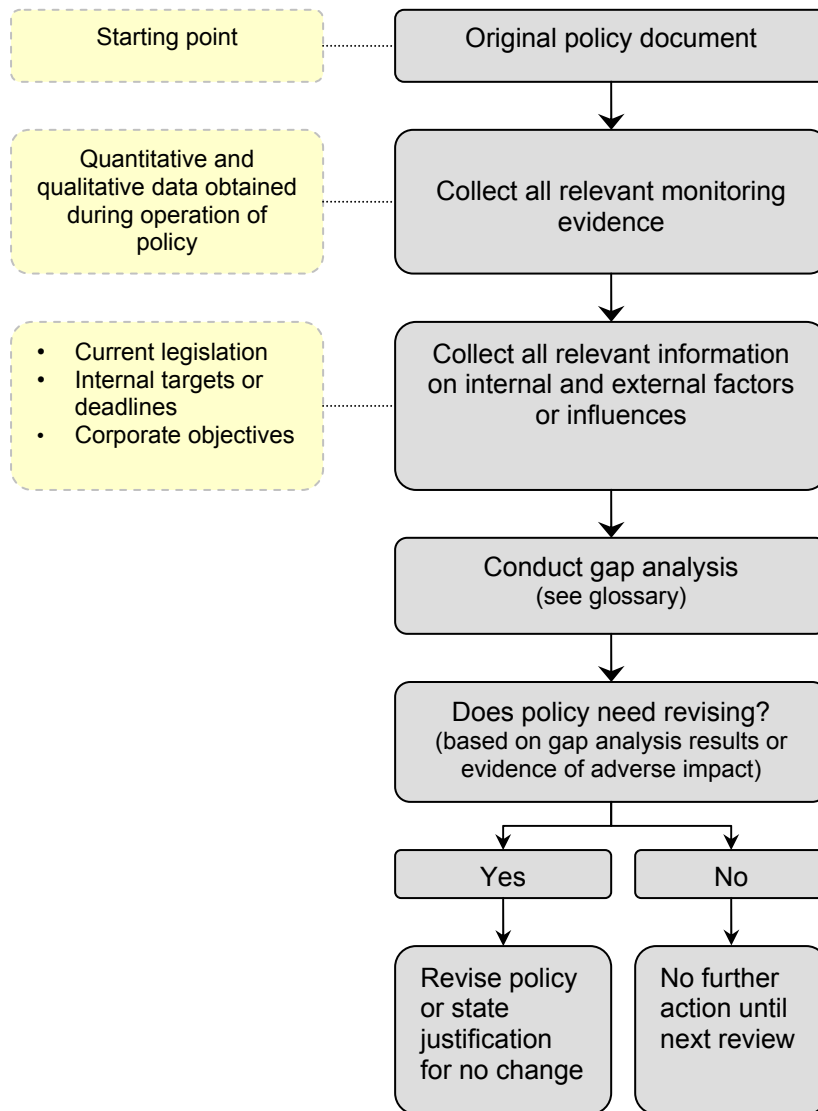
If a review shows that a policy is in actual or potential breach of any part of the general duty, we will investigate the policy thoroughly and either revise it or introduce measures to counteract its effects. If we did not originally give the policy high priority for review in our action plan, we will amend the timetable for reviews and action, accordingly.

Reviewing informal policy decisions

The CRE operates within agreed policy parameters; however, we recognise that, occasionally, we may make informal decisions that could have long-term effects on practice.

In these circumstances, it is the responsibility of the directorate in question to ensure that the policy is reviewed (as described in Table 2) and revised accordingly. Once revised, the policy will follow the agreed procedure for developing and implementing proposed policies.

Table 2: Process for reviewing individual policies



OBJECTIVE 6 – ENSURING SUCCESS – TRAINING OUR STAFF ON THE DUTIES

Our aim is to be an exemplary organisation and we recognise that this depends on effective performance by our staff. We therefore reviewed our training and development strategy to make sure all our staff had the skills and knowledge they need to help achieve our key strategic objectives, including meeting the statutory duties under equality legislation.

To ensure that all staff fully understand the requirements of the general and specific duties, we intend to rely on our comprehensive staff training programme, **ACTION**, which provides basic skills and knowledge on all areas of diversity and equality.

The consideration of diversity and equality in all our functions and activities means mandatory training on the DDA, RRA, equal opportunities and diversity, customer services and management. We therefore make every effort to ensure that external training providers have a sound track record on equality, and that they agree to uphold the CRE's principles.

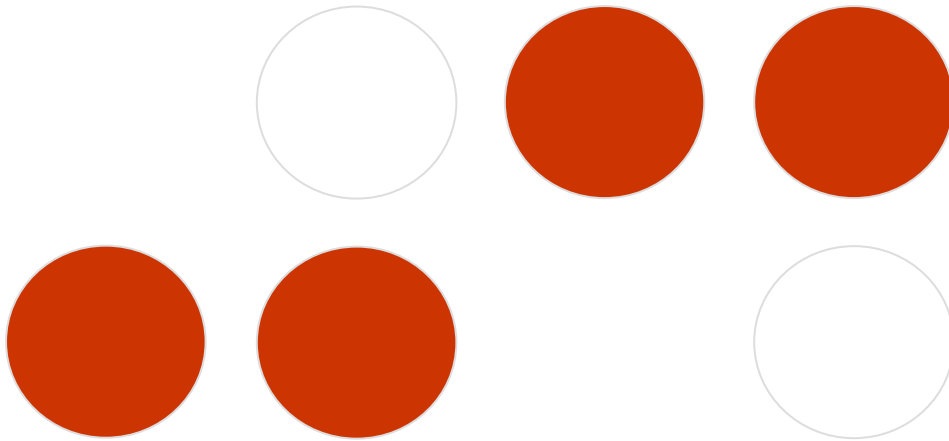
However, we do recognise that we need to look beyond the usual candidates and actively encourage tender submissions from training consultants who specialise in disability, which might include disabled trainers.

It is therefore our intention to make every effort to use disabled training consultants to carry out our disability awareness training, based on a social model of disability.

Examples of the types of training courses we provide include the following:

• Race Relations Act	• Age discrimination
• Race equality duty for selected employees	• Disability discrimination and awareness
• Conducting EIAs	• Applying customer standards
• Human Rights Act	• Performance management for managers
• Diversity training	• Interpersonal skills
• Sex and sexual orientation discrimination	• Recruitment and selection for managers

We monitor all our courses, based on feedback we receive from participants, revising the courses if necessary, to ensure that the training is effective.



PROCUREMENT OF SERVICES

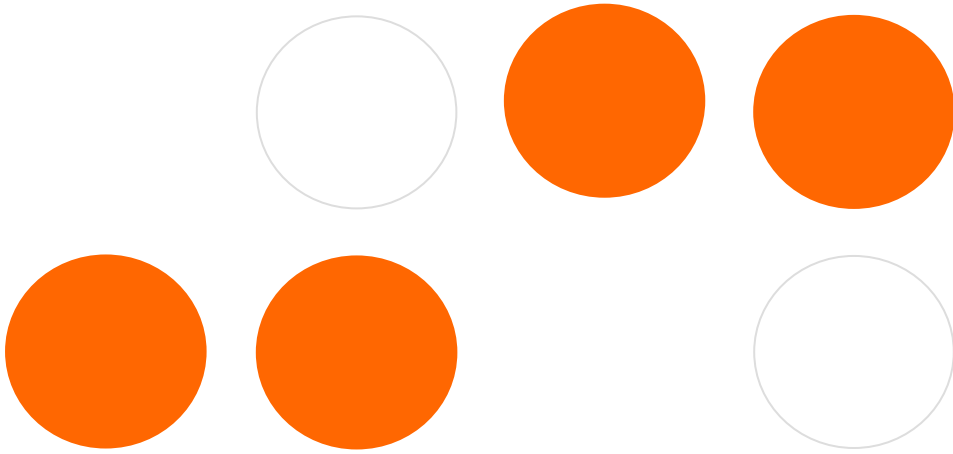
The CRE has to consider whether the way in which it buys in services promotes equality of opportunity for disabled people.

Tendering and contracting

Under the Disability Discrimination Act (DDA) 2005, we must consider disability equality when procuring goods, works or services from external providers. Compliance with this duty is also compatible with our obligations under EC public requirement rules, 'best value', value for money, and other national policies and strategies.

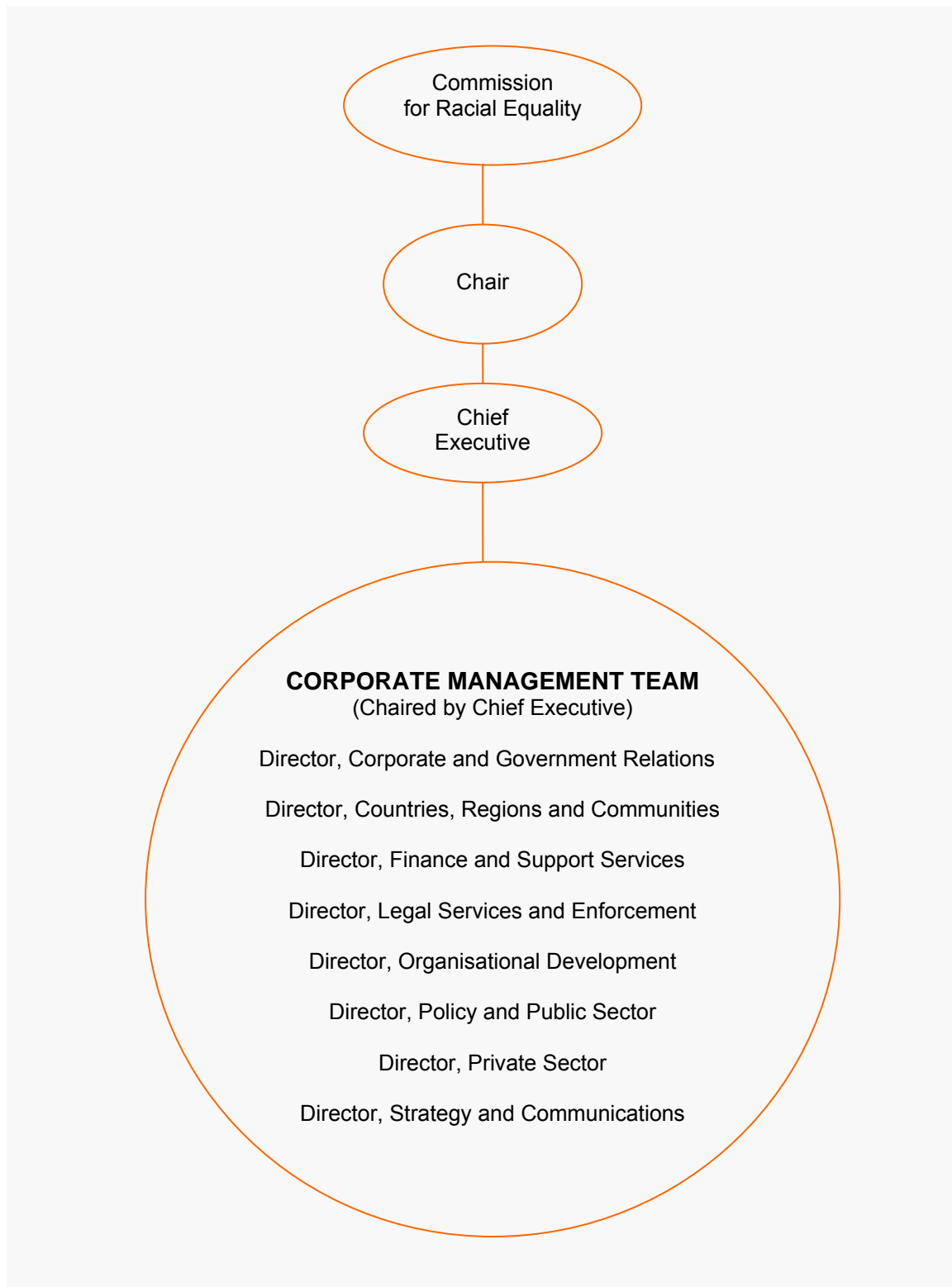
To ensure that we select contractors, and that contractors fulfil the requirements of the contracts, so that we meet our obligations under the DDA, and in line with the DRC's statutory code of practice on the duty to promote disability equality, we will take the following steps:

- We will review the terms and conditions we use to procure goods and services to include information about the DDA.
- We will identify contracts for which disability equality is a core requirement and include this in the specification for the contract, using EIA where necessary.
- We will encourage individuals and organisations from disabled groups to tender or compete for contracts, and encourage our main contractors to take steps to promote diversity in the supply chain.
- We will include a requirement in every contract that the contractor must comply with the anti-discrimination provisions of the DDA.
- Where relevant, we will specify the evidence the contractor may need to provide for the authority to demonstrate its compliance with the general or specific duties.
- We will ensure that disability equality is reflected, and given due weight, in the specification, the criteria for selection and award of the contract, and in the contract conditions, consistent with EC and UK procurement rules.
- We will ensure that contractors fully understand any disability equality requirements of the contract.
- We will monitor the way the contract is fulfilled in respect of disability equality, where relevant.
- We will train all staff involved in procurement work, so that they fully understand the provisions of the DDA and how the disability equality duty is relevant to their work.



APPENDICES

Appendix 1: CRE corporate management structure



Appendix 2: Social model of disability

The social model has been developed by disabled people in response to the medical model and the effect it has had on their lives.

Under the social model, disability is caused by the society in which we live and is not the 'fault' of an individual disabled person, or an inevitable consequence of their limitations. Disability is the product of the physical, organisational and attitudinal barriers present in society, which lead to discrimination. The removal of discrimination requires a change of approach and thinking in the way in which society is organised.

The social model takes account of disabled people as part of our economic, environmental and cultural society. The barriers that prevent any individual from playing a part in society are the problem, not the individual. Barriers still exist in education, information and communication systems, working environments, health and social support services, transport, housing, public buildings and amenities. The devaluing of disabled people through negative images in the media – films, television and newspapers – also acts as a barrier.

The social model has been developed to remove such barriers, so that disabled people have the same opportunity as anyone else to determine their own lifestyles.

A simple example is that of a wheelchair user who has a mobility impairment. He or she would not actually be disabled in an environment where it was possible to use public transport and have full access to buildings and their facilities in the same way as someone without an impairment would do.

The social model of disability has fundamentally changed the way in which disability is regarded and has had a major effect on anti-discriminatory legislation.

Appendix 3: 2005-08 CRE disability equality scheme action plan

See the separate Excel spreadsheet.

Appendix 4: List of disability organisations who contributed to the CRE's 'involvement event'

Hammersmith and Fulham Advocacy Service

Birmingham Focus on Blindness

Black Women's Mental Health Project

Deaf project co-ordinator, Disability Network

Disability Action

Kensington and Chelsea College

Newham Ethnic Minority Disability Alliance

Organisation of Blind Africans and Caribbeans

Parents for Inclusion

Tower Hamlets Disability Coalition

Disability and Learning Support

Association of Muslims with Disabilities

Intowork, Scotland

Lifelink, Scotland

Appendix 5: EIA screening questions

Consider each of the questions in terms of race, disability and sex. This should help to identify whether the policy has implications for equality of opportunity and/or if there are particular issues that cut across the different groups or strands. In each case, use your best judgment and, if you think there are equality implications, explain briefly why you think so.

- (a) What is the purpose of the proposed policy and who is it intended to benefit?

Please give details.

- (b) Is there any evidence, or other reason to believe, that different groups have different needs, experiences, issues and priorities in respect of this particular policy?

Yes No Maybe

Please give details.

- (c) Is there any evidence, or other reason to believe that different groups could be affected differently by the proposed policy?

Yes No Maybe

Please give details.

- (d) Is there any evidence to suggest that any part of the proposed policy could discriminate unlawfully, either directly or indirectly, against people from different groups?

Yes No Maybe

Please give details

(e) Is there an opportunity to promote equality more effectively by altering this policy or considering working with others in the wider community?

- Yes No Maybe

Please give details

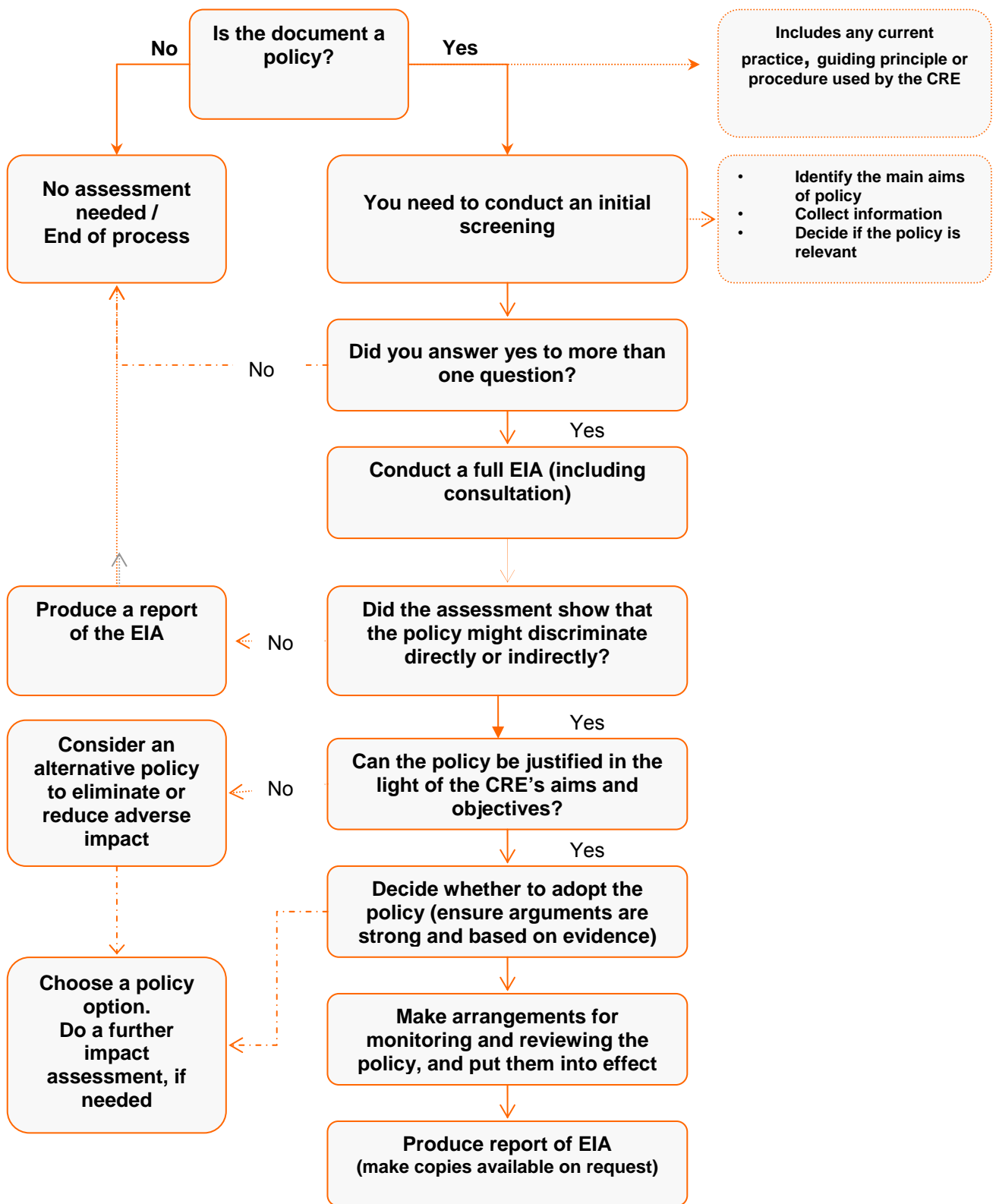
(f) Have previous policies, research, monitoring data, consultations etc, with relevant groups, organisations or individuals indicated that this particular policy may create problems that are specific to them?

- Yes No

Please give details of data (name of policies, research report etc)

(g) Please provide any additional evidence or information which may be relevant and which does not fall into the above categories.

Appendix 6: The CRE's internal EIA process



Appendix 7: Glossary of terms

A

Action plan

The regulations containing the specific duties do not refer to an action plan, but this term has been used in the Disability Equality Code of Practice to describe the steps a public authority proposes to take to implement develop a disability equality scheme (DES).

Adverse impact

This is a significant difference in patterns of representation or outcomes for disabled groups, with the difference amounting to a detriment.

C

Consultation

Asking for views on policies or services from staff, colleagues, service users, or the general public. Different circumstances call for different types of consultation. For example, consultation may include public meetings, focus groups, surveys and questionnaires, and meetings with experts.

D

Disability equality

Full opportunity and choices for disabled people to improve their quality of life and be respected and included as equal members of society.

Disability equality scheme (DES)

The Statutory Duties Regulations (known and referred to in the DRC's Code of Practice as the specific duties regulations) require authorities to produce and publish a disability equality scheme, which demonstrates how they intend to meet the general and specific duties.

Due regard

The requirement to give due weight to the need to promote equality of opportunity in proportion to its relevance to disability.

F

Functions

The full range of a public authority's duties and powers.

G

Gap analysis

The objective of a gap analysis is to measure the differences between the organisation's current position and its desired future.

Gathering evidence or information

The disability equality scheme must include a statement of the authority's arrangements for gathering information, in particular about: the effects of an authority's policies and practices on the recruitment, development and retention of disabled employees; the educational opportunities available, and the achievements of disabled pupils and students; and the extent to which services and functions take account of the needs of disabled persons. Gathering information should be sufficient to inform authorities whether their action plan and their activities and functions are providing greater equality for disabled people. The scheme must further specify the arrangements for making use of the information to assist in satisfying the general duty, in reviewing on a regular basis the effectiveness of its action plan and preparing subsequent disability equality schemes.

General duty

The requirement on public authorities, when carrying out their functions, to have due regard to the need to: promote equality of opportunity between disabled persons and other persons; eliminate discrimination that is unlawful under the DDA; eliminate harassment of disabled persons that is related to their disabilities; promote positive attitudes towards disabled persons; encourage participation by disabled persons in public life and take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

H

Harassment

Harassment occurs, in the context of employment, when a person subjects a disabled persons to unwanted conduct that has the purpose or effect on violating that person's dignity or creating an intimidating or hostile, degrading, humiliating or offensive environment for them. In other contexts, harassment can be a form of direct discrimination.

I

Impact assessment

Impact assessment is the process which enables an authority to identify and act on the need to modify policies and practices so that they have due regard to the need to promote disability equality. The specific duties regulations give authorities a duty to include in the disability equality scheme their methods for impact assessment.

Involvement

An active engagement with disabled stakeholders using accessible mechanisms, which must be focused, proportionate, influential and transparent. 'Involvement' requires more active engagement of disabled stakeholders than 'consultation'.

P

Policies and practices

All proposed and current activities, which the authority carries out.

Procurement

The contractual or other arrangements that a public authority makes to obtain goods, works or services from an outside organisation.

Public authority

The DDA defines public authorities as any person certain of whose functions are functions of a public nature. There is no list of public authorities to whom the general duty applies.

Q

Quality and equality steering group

Internal steering group, which coordinates and takes the action needed to ensure effective implementation of the CRE's equalities strategy (including the disability equality scheme), and maintenance of quality standards.

Qualitative data

Information gathered from individuals about their experiences. Qualitative data usually gives less emphasis to statistics.

Quantitative data

Statistical information in the form of numbers normally derived from a population in general or samples of that population. This information is often analysed using descriptive statistics, which consider general profile distributions and trends in the data, or using inferential statistics, which are used to determine significance within relationships of differences in the data.

S

Social model of disability

The poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers. This is known as 'the social model of disability', and provides a basis for the successful implementation of the duty to promote disability equality.

Specific duties

Certain public authorities listed in regulations are required to comply with specific duties, which are set out in the statutory duties regulations (known as the specific duties regulations). These duties are intended to assist authorities in complying with the general duty to promote disability equality. The duties also impose an obligation on certain secretaries of state and the Welsh Assembly to report on disability equality.

T

Two-tick disability symbol

The symbol is awarded by the Jobcentre Plus to recognise employers who have agreed to meet five commitments regarding the recruitment, employment, retention and career development of disabled people.