

Disability Equality Scheme

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than English**



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DISABILITY EQUALITY SCHEME

FOREWORD

At Broadacres we believe that disabled people should be able to participate fully and equally in the community. Historically the way houses have been built and housing services provided has often failed to address the needs of disabled people as part of the wider community. Because buildings have been designed in a way that excludes disabled people, they have instead been catered for by special services. We believe that, although in certain exceptional instances special services may be required, for the majority this is not acceptable and disabled people should be able to live as independently as possible in their own home and in the wider community.

To ensure this commitment, the Association's Disability Equality Scheme (DES) has been designed to take account of the needs of disabled people in relation to the provision of our services, our responsibility as an employer and to promote services that are accessible to users and provide equality for all.

The scheme is underpinned by the following values and aims:

- provide services fairly and equally so as not to treat people any less favourably because they are disabled;
- we do not discriminate, either directly or indirectly;
- we will encourage our communities to articulate their needs and aspirations;
- provide diversity training for all Board Members and staff;
- listen to the views of disabled users, involving them in decision making and regularly reviewing our services in the light of feedback.

These targets will ensure Broadacres Housing Association's continued commitment to making Disability Equality integral to all our functions, services, policies, procedures and practices making the Association a key player in promoting a scheme where the needs of disabled people are fully met.

Rev Brian Mayne
Chairman of the Board

Steve Towers
Managing Director

1.0 INTRODUCTION

The Disability Discrimination Act 2005 (DDA) places a statutory general duty on the Association to promote Disability Equality. The duty provides a framework within which the Association needs to carry out its function more effectively in tackling discrimination and its causes more proactively, by making Disability Equality part of all our decisions and activities.

To develop this scheme we are considering how best to improve the quality, accessibility and responsiveness of all our services for disabled people and our employees.

This document sets down Broadacres' strategy to address the needs of disabled people and to meet the general and specific duties of the above act.

To achieve this, the following outcomes/targets have been set:

- To meet the requirements of the Disability Discrimination Act and set out our plans to improve disabled access to services and employment.
- To ensure that we are taking the needs and views of disabled people into account when we design or deliver services, make access improvements or develop policies.
- To continuously monitor and improve the ways in which we deliver services to disabled people.
- To adopt the principles of the Social Model of Disability.

2.0 BACKGROUND

In developing this scheme we have adopted the principles and values in the Disability Rights Commissions' Social Model of Disability that endeavours to remove disabling barriers that stop disabled people from participating fully in society. The Social Model makes an important distinction between impairment and disability. The model has been developed by disabled people who feel that the individual model (considers disability to be a tragedy for the individual and a burden for the family and society – a clinical way of describing an individual's disability) does not provide an explanation for the exclusion from mainstream society because their experiences have shown them that, in reality, most of their problems are not caused by their impairments, but by the way society is organised and the barriers that exist. These barriers can be:

- Prejudice and stereotypes;
- Inflexible organisational procedures and practices;
- Inaccessible information;
- Inaccessible buildings; and
- Inaccessible transport.

These barriers are nothing to do with the individuals' impairment but are created by people, which means that it is possible to remove them.

3.0 COMMUNICATING THE DISABILITY EQUALITY SCHEME

This Disability Equality Scheme clarifies Broadacres' approach to tackling disability discrimination. It is important that all staff across the Association adopt the same approach and form a common understanding of our approach to customer care and service provision.

The Disability Equality Scheme will be published on our website and the Associations' Intranet - 'Broadnet' for downloading in PDF format.

To ensure the DES is accessible to all our customers, a summary easy to read version will be published. This will also be available on our website and the Associations' Intranet - 'Broadnet' for downloading in PDF format.

Both the DES and summary will be available upon request in large print, in Braille, on audio tape or CD, in picture format and in languages other than English.

Our report on progress against the action plan will be submitted to the Board of Management annually and the minutes of the meeting placed on our website and be made available upon request.

A detailed explanation of how the Disability Discrimination Act defines disability can be found in *Appendix 1*.

4.0 BROADACRES' COMMITMENT TO DISABILITY EQUALITY

The Association has a Corporate Diversity Action Plan, which details the Association's commitment to all aspects of equality and the management of diversity. As part of the monitoring of the plan an Annual Report is submitted to the Board of Management giving details of progress against the action plan.

The Association recognises that although inequality, disadvantage and discrimination exist in society, our aim is to ensure that no-one receives less favourable treatment on the grounds of: age, race, ethnicity, religion, marital status, gender, sexual orientation or physical or mental impairment.

This approach is all encompassing in that it applies equally to our customers in all our areas of operation and to all our own staff, visitors to the Associations premises and to people wanting to work for the Association. Our approach focuses, not just on the need to comply with the wide ranging legislation introduced to promote equality, but also on identifying best practice and applying this flexibly across all services.

We intend to focus on a number of specific areas in order to ensure that we provide:

- High quality, responsive services which are flexible, but take into account people's different needs and respond positively to meeting them;
- Equal access to services so that people are better able to outline their needs and are not disadvantaged in any way;
- Equality in employment opportunities for people from minority groups; and
- Learning and development opportunities for all staff.

The Disability Equality Scheme and Action Plan builds upon and complements our Corporate Diversity Policy by outlining the specific actions we intend to make over the next 3 years to promote disability equality in Broadacres.

5.0 CONSULTATION, ENGAGEMENT AND INFLUENCE

We recognise that the involvement of disabled people and staff in shaping this Disability Equality Scheme is a critical factor in determining its long-term success. However, we want to do more than consult with disabled people. We want to engage better with disabled people so that they can challenge and influence the Association in a positive way.

To do this we held an involvement day with our disabled customers, their carers and partner agencies during September 2007. This event forms part of our ongoing commitment to engage with disabled customers. The intention being to promote opportunities for disabled customers to challenge, help to shape and re-design services where they fail to address the diverse needs of disabled people. To do this our disabled customers were given the opportunity to include their willingness to join a focus group dealing with disability issues.

The feedback from our consultation has helped to develop this Scheme, and, in particular, the Action Plan attached at Appendix 3.

We have attempted to respond positively to the diverse range of feedback we have received and will be engaging managers and staff over the next 3 years in improving the way we do things.

6.0 OUR OBJECTIVES

This Scheme sets out the framework within which Broadacres Housing Association intends to promote equality for, and prevent discrimination against, ALL disabled people as users of our services and as our employees. The following objectives are intended to support and complement this framework:

Objective 1 – We will promote equality for disabled people by:

- Removing barriers to access, particularly in relation to employment and access to services, information and our premises;
- Work in partnership with our contractors in encouraging good practice;
- Upholding the Social Model.

Objective 2 – We will tackle discrimination against disabled people by:

- Promoting positive images of disabled people;
- Challenging patronising or discriminating attitudes and behaviours;
- Making the environment as safe as possible for disabled people;
- Challenging anti-social behaviour against, or harassment of, disabled people.

Objective 3 – We will support disabled people to achieve their full potential by:

- Providing necessary support, assistance and care to disabled people to enable them to lead independent lives;
- Supporting the formation of groups, networks and services for disabled people as employees of the Association and as customers;
- Supporting disabled people according to their individual need.

Objective 4 – We will work in partnership with disabled people by:

- Enabling disabled people's active participation in shaping service delivery;
- Involving disabled people in the changes and improvements we make;
- Consulting directly with disabled people on issues affecting them and not just with people acting on their behalf.

7.0 IMPLEMENTATION OF THE SCHEME

7.1 We recognise that the barriers that disabled people face must be tackled if we are to achieve an integrated and fair service. To do this we have developed our Disability Equality Scheme and the following areas will form the action plan framework needed to comply with the DDA:

- Implementation – delivering what we say in the Action Plan
- Prioritising our actions
- Identifying, prioritising and completing Equality Impact Assessments
- Monitoring progress where adverse impact have been identified
- Communicating the results of equality impact assessments, consultation, and monitoring
- Improving access to BHA's premises, information and services
- Improving employment opportunities for disabled people
- Improving learning and development and career progression opportunities for disabled staff
- Monitoring and reviewing our performance against the action plan.

7.2 Complaints

The Association's complaints procedure identifies how complaints can be made. In accepting complaints from individuals in whatever form is most suitable for them we are accepting diversity. We continue to monitor all complaints received for disability.

7.3 Monitoring

The Association has established a Diversity Development Team (DDT) which is responsible for establishing and improving systems to monitor the impact of functions/policies on disabled communities, and actively use the information to recommend improvements to service delivery. Wherever possible examples of successful existing systems will be replicated. The Association will work with its Tenants Liaison/Older Persons/Community Groups to raise awareness.

7.4 Publication of the Scheme

A copy of the Disability Equality Scheme approved by the Association's Board of Management is made available to all Association staff, to relevant community and voluntary groups, organisations and businesses via our website and is available in hard copy in various formats.

7.5 Review of the Scheme

As part of our Annual Diversity Report to the Board of Management and in accordance with guidance the scheme will be reviewed and revised by the Diversity Development Team every 3 years.

The Disability Discrimination Act DEFINITION OF DISABILITY

What the Act means by Disability

Disability is defined as

“A physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities.”

Explanations of:

Impairment

The definition covers physical and mental impairments. These include:

- physical impairments affecting the senses, such as sight and hearing;
- mental impairments including learning disabilities and mental illness (if it is recognised by a respected body of medical opinion)

Substantial

For an effect to be substantial, it must be more than minor.

The following are examples that are likely to be considered substantial:

- inability to see moving traffic clearly enough to cross a road safely;
- inability to turn taps or knobs;
- inability to remember and relay a simple message correctly.

Long-term

These are effects that:

- have lasted at least 12 months;
- or
- are likely to last at least 12 months;
- or
- are likely to last for the rest of the life of the person affected.

Long-term effects include those which are likely to recur. For example, an effect will be considered to be long-term if it is likely both to recur, and to do so at least once beyond the 12-month period following the first occurrence.

Day-to-day activities

Day-to-day activities are normal activities carried out by most people on a regular basis, and must involve one of the following broad categories:

- mobility – moving from place to place;
- manual dexterity – for example, use of the hands;
- physical co-ordination;
- continence;
- the ability to lift, carry or move ordinary objects;
- speech, hearing or eyesight;
- memory, or ability to concentrate, learn or understand;
- being able to recognise physical danger.

The Government has issued guidance, under the Act, about whether an impairment has a substantial or long-term effect. This guidance does not in itself impose legal obligations on an employer or service provider, but a tribunal or court must when considering a complaint about discrimination take into account any of the guidance which appears to be relevant.

Particular causes or conditions:

Severe disfigurements

The Act's definition treats severe disfigurements as disabilities, although they have no effect on a person's ability to carry out normal day-to-day activities.

If, however, the disfigurement consists of a tattoo which has not been removed, non-medical body piercing, or an object attached through such a piercing, regulations have the effect of ensuring that this would not be treated as a disability.

Impairments helped by treatment or artificial aids

Medication or equipment (such as an artificial limb) which helps an impairment is not taken into account when considering whether an impairment has a substantial effect.

For example, a person who wears a hearing aid to improve their hearing is considered to have the hearing loss that would exist without the use of the aid. An exception is when people wear glasses or contact lenses – it is the effect on the person's vision, while wearing their glasses or contact lenses, that is considered.

Progressive conditions

The Act covers progressive conditions where impairments are likely to become substantial. Examples of progressive conditions include:

- cancer
- HIV infection
- multiple sclerosis
- muscular dystrophy

The Act covers people with these conditions from the moment that there is a noticeable effect on normal day-to-day activities, however slight.

For example, a person with multiple sclerosis would be covered from the time they first developed symptoms that affect their ability to carry out normal day-to-day activities. They would not be covered just because the illness had been diagnosed.

Genetic predispositions

The Act does not cover people with a gene that causes a disability unless they develop the disability. For example, people with the gene that causes Huntington's chorea are not covered if they do not have the condition. People are covered as soon as the first effects on normal day-to-day activities appear.

Past disabilities

The definition covers people who have had a disability in the past. If a person once had a disability which is covered by the Act, they are still protected if they have recovered. This applies even if they recovered before the Act came into force.

Registered disabled people

Any person registered as a disabled person under the Disabled Persons (Employment) Act 1944, or the Disabled Persons (Employment) Act (Northern Ireland) 1945, on both

- 12 January 1995 when the legislation was first introduced into Parliament
- and the date when the employment rights start is covered by the Act for three years.

Is to be treated as having a disability, for the purposes of the Act, for three years from the latter date. They do not have to prove they meet the new definition of disability for this three year period.

Babies and children under the age of six

It may be difficult to see the effects of an impairment on a baby or young child. However, a young child with an impairment will be treated as disabled under the Act if someone over the age of six with such an impairment would normally be covered by the Act.

Impairments which are excluded

The following conditions are not to be treated as impairments for the purposes of the Act:

- Addiction to or dependency on alcohol, nicotine or any other substance (unless the addiction resulted from the substance being medically prescribed).
- Seasonal allergic rhinitis (e.g. hay fever) except where it aggravates the effect of another condition.
- A tendency to set fires.

APPENDIX 1

- A tendency to steal.
- A tendency to physical or sexual abuse of others.
- Exhibitionism.
- Voyeurism.

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Legal Obligations – The Statutory Framework

The Association will operate this policy and all other policies and practices relating to it in line with statutory requirements. The present statutory framework within which we apply this policy is shown below:

- The Race Relations Act 1976 and associated Codes of Practice issued by the Commission for Racial Equality (CRE) (Particularly Employment and Code of Practice for rented housing).
- The Race Relations (Amendments) Act 2000 and associated Codes of Practice issues by the CRE.
- The Housing Act 1988 (in particular Section 56 which makes specific reference to Section 71 of the Race Relations Act 1976).
- The Sex Discrimination Act 1975 and 1986 (as amended) and associated Codes of Practice issued by the Equal Opportunities Commission (EOC).
- The Disability Discrimination Act 2005 (DDA) and associated Codes of Practice.
- The Equal Pay Act 1970 (as amended) and the EOC Code of Practice on Equal Pay.
- The Human Rights Act 1998.
- The Employment Relations Act 1999.
- The Employment Act 2002.

In addition, we will apply this policy in line with:

- The government Code of Practice 'Age Diversity in Employment'.
- Performance Standards for registered social landlords: Equal Opportunities.
- Black and Ethnic Minority housing policy (1998).
- Older People's Policy (1995).
- Overcoming Disability Discrimination: a guide for registered social landlords (2000).
- The Race and Housing Enquiry's Challenge Report 2002.
- The recommendations of the Stephen Lawrence Enquiry.

**BHA Disability Equality Scheme
Action Plan**

Action	Timescale	Lead Responsibility	Resources
Asset Management			
<ul style="list-style-type: none"> We will include wherever possible any required adaptations whenever undertaking planned maintenance/major works. 	w.e.f. April 2008	DOH	Adaptations installed on needs basis and budgetary provision made.
<ul style="list-style-type: none"> We will take into account the needs of disabled people when building new schemes including specific accommodation as appropriate. 	Ongoing	DOH	Costed into individual developments.
<ul style="list-style-type: none"> We will promote our adaptations service and simplify the referral process for small adaptations e.g. lever taps. 	w.e.f. April 2008	DOH	Included in adaptations budget.
<ul style="list-style-type: none"> We will fund all adaptations under £1500 and aim to complete them within 30 days of assessment. For adaptations over £1500 we will use our Home Improvement Agency to liase with the Statutory Authorities on behalf of the customer. 	Ongoing	DOH	Included in adaptations budget.
<ul style="list-style-type: none"> We will work with the Statutory Authorities to streamline the disabled adaptations process, e.g. adapting properties prior to allocation. 	Nov 2008	DOC	Staff training
<ul style="list-style-type: none"> We will ensure that all of our sheltered and supported housing schemes are DDA compliant. 	March 2008	DOH	Dependant upon results of survey
<ul style="list-style-type: none"> We will maintain an adapted property register and will make best use of our properties that are already adapted by matching them to suitable applicants. 	March 2008	DOH	Staff time
<ul style="list-style-type: none"> We will ensure that our repairs service is responsive to a persons needs, especially where a wait for a repair may have a detrimental affect on their well being. 	April 2008	DOC/DOCS/DOH	Cost of new computer system – budgetary provision made.

Customer Services			
<ul style="list-style-type: none"> We will regularly review our database of customer needs, including communication preferences. 	Ongoing	DOC/DOCS/DOH	Staff time
<ul style="list-style-type: none"> We will ensure that all of our offices are accessible and provide no barriers to disabled customers. 	March 2008	DOH	Dependant upon results of survey
<ul style="list-style-type: none"> We will ensure that all front line staff understand the needs of disabled customers and how our services can be adjusted to meet those needs. 	Ongoing	DOH/DOCS/ DOC/DDT	Staff time
<ul style="list-style-type: none"> We will ensure our website is accessible and conforms with recognised access standards. 	March 2008	DOCS	Budget provision made
<ul style="list-style-type: none"> We will ensure we promote our services to disabled people. 	March 2008	DOC	Printing costs/website development
<ul style="list-style-type: none"> We will raise awareness of our Harassment Policy and in particular how to report disability harassment. 	March 2008	DOC/DOH	Printing costs/website development
<ul style="list-style-type: none"> We will monitor anti social behaviour actions by disability in order to avoid any potential discrimination. 	w.e.f January 2008	DOH	Info to be provided to Board Members in Quarterly PIs and Annual Report.
<ul style="list-style-type: none"> We will monitor complaints, harassment and anti social behaviour reported by disabled people and share good practice in dealing with the issues raised. 	w.e.f January 2008	DOH	Info to be provided to Board Members in Quarterly PIs and Annual Report.
<ul style="list-style-type: none"> We will ensure that all customer satisfaction and other surveys monitor disability and that any identified differences in satisfaction are investigated. 	January 2008	DOC/DOH	Staff time
Employment and Governance			
<ul style="list-style-type: none"> We will develop a clear policy of what constitutes a reasonable adjustment to the working environment/ working practices. 	March 2008	DOCS	Staff time
<ul style="list-style-type: none"> We will ensure that all of our offices are accessible and present no barriers to disabled staff. 	March 2008	DOH	Dependant upon results of survey.
<ul style="list-style-type: none"> We will use corporate documents to promote a positive image of disability. 	Immediate	DOCS	Staff time
<ul style="list-style-type: none"> We will develop detailed monitoring systems in relation to the recruitment, development and retention of disabled people. 	Immediate	DOCS	Staff time

<ul style="list-style-type: none"> We will work in partnership with relevant organisations to utilise positive action schemes for employment with BHA. 	Ongoing	DOCS	Staff time
General			
<ul style="list-style-type: none"> We will undertake a disability impact assessment on all policies and on any new project undertaken and formulate an action plan to address any areas of neutral or negative impact, which are not operationally justified. 	Immediate	All	Staff time

DOCS - Director of Corporate Services

DOH - Director of Housing

DOC - Director of Care Services

DDT - Diversity Development Team

GLOSSARY

BHA	Broadacres Housing Association
BOM	Board of Management
CRE	Commission for Racial Equality
DDA	Disability Discrimination Act (2005)
DDT	Diversity Development Team
DES	Disability Equality Scheme
DRC	Disability Rights Commission
EMT	Extended Management Team
EOC	Equal Opportunities Commission