



Case study examples of Disability Equality Duty best practice

April 2007

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Introduction

RADAR was commissioned by the Disability Rights Commission (DRC) to examine the involvement processes of six public bodies that have been judged to have produced Disability Equality Schemes (Schemes) that may be considered as examples of good practice.

The DRC intends to use this information for media purposes, and to identify involvement practices that work. As such, Appendix 1 includes the names and contact details of individuals willing to undertake media interviews.

The public bodies identified by the DRC were as follows:

- Nottingham Primary Care Trust
- Department for Education and Skills
- University of Newport
- Hackney Council
- Swansea Primary Care Trust
- University of Manchester
- Department for International Development.

RADAR contacted the identified public bodies requesting the details of two disability organisations that had been involved in the development of their Scheme. RADAR then carried out an interview with the disability organisations, intending to discover the extent of participation and the impact that the participation was seen to have had on the published Scheme.

The research sought to address not only the interviewees' involvement in the Scheme, but also evidence of effective implementation. There are a few examples of such implementation throughout the report, but in the majority of cases it was too early to have seen any evidence of concrete progress made since the

inception of the duty. In some cases the interviewees' involvement had ceased since the publication of the Scheme, and therefore they had not kept up to date with progress.

It is recommended that a follow-up study be undertaken in six to 12 months time to address this shortcoming.

Nottingham Primary Care Trust

The interviewees were Susan Bloomfield from the Patient's Forum and a representative from the Coalition for Disabled People in Nottingham (CDPN).

Both interviewees attended monthly meetings of the Nottingham Disability Action Team. The meetings were accessible and any jargon was explained when needed. Following the meetings, minutes were circulated with relevant additional information and any copies of the redrafted Scheme for comment.

The group discussed areas that the Primary Care Trust (PCT) needed to take into account, and felt that the points raised by the group were really listened to and taken on board. The interviewees felt that disabled people were listened to directly in the group. The drafts of the Scheme reflected the contents of their discussions.

For example, as a consequence of the involvement of the Patients' Forum they added questions, specific to the development of the Scheme, to their regular patient surveys in order to assess the extent of the difficulties patients' face. The questions included asking about transport to GPs, problems faced at the GP surgery etc. The Patients' Forum were able to feed the results of this back into the group (raising problems that some patients were reluctant to raise directly with their GP or the PCT). Problems included elderly people missing their appointments because they didn't hear the announcement, and surgery staff that had not had disability awareness training.

Changes following this feedback have already been implemented and continuous feedback has ensured that participants are aware of these real changes. For example adjustments to GP waiting rooms (so those with hearing impairments can see the screen to know when their appointment is) and lower counters for wheelchair users have followed as an outcome of the Patient Forum surveys.

Nottingham PCT had already planned disability awareness training for their staff, but following input from CDPN which related personal experiences where the usual time allocation for an appointment has not been sufficient to allow for proper communication PCT staff understood the necessity for this training to be compulsory.

Using these questionnaires involved a broad base of people, ensuring a strong evidence base of the opinions of service-users. The results were discussed at group meetings, meaning that those with hidden disabilities were listened to as well.

At each of the meetings, any action that was already taking place was reported on and the group's recommendations further incorporated into action plans. The interviewees recognised that change will be slow, but were positive that there was ongoing commitment to communication and to action.

Evidence was also collected from staff within the PCT to examine the effectiveness of current procedures and how the Scheme could work in practice.

Quotable Quotes

Susan Bloomfield

'I was very impressed with the meetings to discuss the drafting to the Scheme. The group was made up of people who care strongly for diversity. They took a great deal of notice of those with first hand experience of disability.'

'The PCT was very committed and encouraged us to get involved in their diversity group. By working together we achieved a lot for disabled patients. This was not just a talking shop; they were actually serious about making changes. The group members were very enthusiastic about spreading good practice.'

'By getting involved in this I felt it was something really positive that would make real changes that would benefit patients.'

Department for Education and Skills (DfES)

The interviewees were Colin Barnes from the Centre for Disability Studies and Tara Flood from the Alliance for Inclusive Education.

Colin attended three meetings to comment on the draft of the Scheme and he felt that plenty of time was given to comments and discussion and that adequate time was given to make changes to the proposals. Tara co-ordinated, together with the Disability Awareness in Action (DAA) and DfES, a meeting of disabled young people to hear their opinions.

The drafts of the Scheme were available in accessible formats for those who required them and all the meetings were accessible.

Tara was disappointed that the DfES only co-ordinated a meeting of disabled young people in mid November and not earlier in the process. It was therefore only at the end stages that the critical role of young disabled people was recognised. Following this meeting there was only one week before the final draft of the Scheme was due so it was questionable how much impact the feedback from this meeting was able to have.

Colin felt that the widespread consultation enabled a strong evidence base to be used in the drafting of the Scheme, and that recommendations were reflected.

The final Scheme does commit to involving young disabled people throughout the implementation process. There has not, however, been any information about how implementation will be monitored and about how working in partnership is understood.

It is too early to assess the impact of the Scheme, but it is essential that all departments of public bodies recognise their obligations. So far few secondary schools have submitted a Scheme, many thinking that a school accessibility plan is enough. The DfES needs to take the lead in communicating the importance of developing a Scheme and of involving young disabled people.

Both interviewees highlighted that funding needs to be available for those disability organisations and disabled individuals involved in the implementation process.

Quotable Quotes

Colin Barnes

‘The Disability Equality Duty is the best piece of legislation to be introduced by this Government because it is proactive rather than reactive. It is not just about changing attitudes but changing the environment too. However, there is an urgent need for effective monitoring.’

‘The DfES scheme contains clear directives and practice action points.’

‘This is an ongoing process so it is too early to evaluate the impact, but the initial start by the DfES is promising.’

‘The DfES were very positive and proactive about involving disabled people and organisations and they took on board everything that was suggested by disabled participants. Every effort has been made to put together a realistic and achievable scheme and it is a really positive development – however time will tell how effective it will be. It’s now up to the rest of the DfES to take it seriously.’

Tara Flood

‘The DfES has done more than some other Government departments but there is still a long way to go.’

‘The DfES has now recognised that implementation has to happen in partnership with disabled people.’

‘We welcome their involvement of disabled young people, but one-off events aren’t good enough. The DfES need to resource that process, and they need to encourage schools to take this process seriously.’

University of Newport

The interviewees were Maria Evans from Mencap, Pam Burdell from the Restricted Growth Association, and Esther Barnett from Scope Cymru.

Maria sat on the focus group, which is ongoing and now advising on implementation of the Scheme. The University's Student Welfare Team staff attend, along with a Human Resources representative. The University has proved to be very open to new suggestions and willing to explore new ideas. She feels that comments are always taken on board and that the range of disability organisations that sit on the group ensure a strong evidence base.

There is a continuous two-way feedback process and the University lets the group know how their discussions and ideas have been taken forward following the meeting.

Pam and Esther were not involved in the development of the Scheme, but just from the beginning of February. As such, they feel that they have had limited influence. Pam believes that the Scheme has a strong evidence base due to the breadth of consultation and Esther has recognised that the University is keen to form mutually beneficial relationships with local disability organisations and disabled people. Although they have had limited involvement, they appreciate the amount of detailed work that has been done towards the Scheme.

To monitor implementation of the Scheme, the University has set up a number of programmes to assess effectiveness. This will bring in more disability organisations and individuals to monitor progress, so there is ample opportunity to ongoing involvement. Activity so far has included physical access audits, work placements for people with mental health conditions, and assessment of the application forms for both prospective students and employees.

This activity flowed directly from some of the discussions in the focus groups. Maria raised the concern that application forms were often inaccessible – including the font sizes, and the style of the language used. The University has brought back to the focus group different application form formats for discussion and approval.

The issue of physical access was raised in the focus group, during the drafting of the Scheme. The University has now scheduled a physical access audit where a number of disabled people have been asked to go around the University and assess the accessibility.

Quotable Quotes

Maria Evans

‘The University of Newport mean business, it’s not just lip service. They really are determined to make a difference and look positively at it from all people’s perspectives.’

‘They are realistic- so many people ask for different things, but you can’t have a Scheme that tries to cover everything and that no one understands. They are really willing to look at different ways of doing things to overcome that.’

London Borough of Hackney

The interviewees were Sanusie Sesay from Disability Hackney and Caroline Nelson from Choice in Hackney.

A working group was set up with regular meetings, which began before the first draft of the Scheme was developed. The purpose of the group was to look at drafts and make suggestions for amendments. It was felt that the process was very accessible; papers were emailed in advance for preparation and all meetings were held in accessible venues.

The diversity of organisations represented at the group was seen as useful not only from the point of view of developing the Scheme, but also as it enabled networking between disability organisations in Hackney. Liaison between meetings strengthened the voice of those from smaller organisations.

Points from the group meetings were taken on board and the working group was really listened to. Participants understood that not all of their points could be directly put into the action plan but the most important points were incorporated. The involvement gave a broad evidence base from which the priorities of the Scheme could be developed.

London Borough of Hackney has established an implementation body, which will meet bi-monthly. This body includes those on the original working group and additional members. The terms of reference have now been developed, although there is increasing concern about members not being paid for their time. Both interviewees said that London Borough of Hackney should really pay consultation fees to those voluntary organisation involved.

The implementation body has a joint Chair, one disabled person and one officer from London Borough of Hackney. This is seen as evidence that they are taking disability equality seriously.

However, this body is not the only one with responsibility for implementing the Scheme. Disability Hackney has raised the potential problem that the number of working groups and committees proposed at various levels may be difficult to administer effectively, and may not fully represent the opinions and concerns of disabled people. This may be resolved by developing clear lines of accountability and an explanation of how the

implementation body's contribution will be used by the rest of the committees and groups.

In addition to their other involvement, Disability Hackney ran a 'mystery shopper' exercise to identify challenges and shortcomings in the accessibility of public / local authority services for disabled people, for which they were paid. Despite this being very constructive in the development of the Scheme, they feel that there needs to be a wider ongoing consultation with disabled people so that the London Borough of Hackney is fully able to represent black and minority groups through the Scheme.

Quotable Quotes

Sanusie Sesay

'We look forward to working with the London Borough of Hackney on making the Scheme a success and a model for other London Boroughs to aspire to.'

Caroline Nelson

'The London Borough of Hackney's Scheme is very good. They have focused on specific areas to target, and most importantly those areas that directly affect us as disabled people, for example, with employment targets. The indicators are clear, and the fact that it has a timetable with deadlines allows us to be able to assess progress.'

Swansea Primary Care Trust

The interviewees were Brendan Campbell from Swansea Access for All and Gareth Toppen from the Cancer Network.

Brendan was part of the working group for the Scheme was attended by different departments of Swansea PCT, meaning that a breadth of staff with a variety of responsibilities gained an understanding of the issues. The first meeting was organised in an inaccessible venue, which they thought was accessible. This was immediately rectified as soon as attention was drawn to this fact. All documents were offered in accessible formats.

Gareth was a member of the Patient's Forum and sat on a one-off focus group which focused on the duty from a cancer patients' perspective. He felt there were some issues raised by participants - such as ongoing patient consultation - that could easily have been addressed by the Scheme but were not. There has not been any feedback and Gareth feels Swansea PCT need to allow more time for planning and involvement.

The working group began before the first draft of the Scheme to discuss general issues that needed to be covered. All draft documents went to the working group for discussion. Swansea PCT representatives would report back on how each issues raised in each meetings has been addressed in the Scheme to gain feedback on whether it had been covered effectively.

There was not a broad range of disabled people on the working group, and, despite Swansea PCT having a good relationship with some disability organisations in the area, it was felt that the evidence base could have been stronger.

Some changes have already been made as a result of recommendations made including extra car parking spaces and a plan to introduce more disabled toilets in hospitals. Swansea PCT has said it will continue to update the working group about changes that are being made. It is not clear whether the wider stakeholder group will be consulted, and Gareth is yet to receive any information about the progress that has been made. They have made it clear to the working group, however, that additional suggestions and comments are welcome.

Quotable Quotes

Brendan Campbell

'The new policies are now down in black and white in the Scheme. We can now go to Swansea PCT and point out what their policy is and hold them accountable. They have been very receptive to this, and have asked for, and welcomed, comments and suggestions.'

'Their disability awareness has increased, just through this process. Before they were putting into policies what **they** thought disabled people wanted, now they're willing to listen to disabled people and hear from them what they need.'

'It is all still early days for the duty, and it will take a while to see if the process is really working. It is good that they're listening, but taking action is what counts.'

Gareth Toppen

'In drafting the action plan the NHS trust has involved cancer patients which is good, but there is a lot more to be done, and better involvement should develop in the future.'

University of Manchester

The interviewee was Jane Touil from Breakthrough UK. It was difficult to find a second suitable interviewee for the University of Manchester as, of the six other organisations contacted, none were able to say whether they had been involved in the drafting of the Scheme. Some said that they may have been sent a letter, and one said they were asked to attend a meeting but were not given enough notice. It is concerning that the University has provided a list of contacts that did not actually participate.

Once the external process began, it was clear that the University had already held extensive consultations with disabled students and staff, as a lot of points raised overlapped with what the University had already heard. They contacted external organisations involving them in individual meetings, rather than on an ongoing basis.

The University had a broad ranging approach to developing their Scheme, and were genuinely interested in the reasons behind the barriers that disabled people faced, rather than just the barriers themselves. This gave confidence that they really wanted a strong evidence base for their proposals.

The University widely distributed their draft Scheme asking for feedback, and have booked disability equality training for their staff as a result of their meeting with Breakthrough UK.

Quotable Quotes

Jane Touil

‘The University was aware of the fundamental barriers that disabled people face. I really got a sense that the equalities staff of the University were committed – this wasn’t just a tick box exercise for them. They were actively engaging with disabled people.’

‘Staff working in the equalities department do know what they’re talking about, but the key issues with the duty is how it is mainstreamed throughout the University.’

Department for International Development (DfID)

The interviewees were Richard Reiser from Disability Equality in Education and Rachel Hurst from Disability Awareness in Action.

The Department had employed a disability consultant to draft their Scheme. As well as involving external stakeholders, the Department also consulted with their internal disabled members group.

Both interviewees were involved in the consultation through a single meeting arranged through the UK Disabled Persons Council (UKDPC) International Committee. A draft copy of the Scheme was sent out and discussed at that meeting, which Rachel felt was already good, except for the section on the Civil Society Challenge Fund.

Richard did not feel that the consultant fully understood the duty, and the meeting more 'went through the motions' than anything else. Rachel thought that the meeting was positive, saying that it was evident that DfID had already consulted their internal disability group. She felt that their comments were taken on board up to a point – particularly the points they made about the need for differentiation between disabled peoples' own organisations, and the voice of disabled people, and those organisations DfID would originally have termed disability organisations which are run **for** disabled people.

They advised the Department to set up a proper consultation group, but this has not been established as yet.

The UKDPC had produced four reports for DFID prior to work relating to the Scheme and conclusions from these reports were also integrated into the Department's Scheme.

There was no formal feedback following the meeting but reading through the Scheme interviewees felt that some of the comments had been incorporated. Both interviewees felt that the Department has only consulted with a narrow group of people.

There was a disagreement about whether the duty applies to the Department's overseas work. However, to its credit, the Department has said that it will act as if it does regardless of the

legal position.

With regard to implementation, Richard feels that the Department has a tick box approach, with business as usual now they have submitted their Scheme. Impact assessments are not being done and there is no ongoing consultation that he is aware of.

Rachel believes that the Department does well in terms of employment practice, but they still have a long way to go in terms of service provision. UKDPC are currently producing a document on how to include disabled people for departmental staff overseas, and this will emphasise the requirements of the duty.

Quotable Quotes

Richard Reiser

'I'd give it 6 out of 10. It's good as far as it went, but they could do much better.'

'I'm concerned that so many organisations are just going through the motions. It is the process you go through that is important, not what you write down.'

Rachel Hurst

'Compared with other public authorities DfID has come a long way, but they still have an awfully long way to go.'

'DfID are already on the road to making change, but it will be a long time before we see anything really substantive.'

'DfID should be congratulated for doing as much work as they have done already, but proof of the pudding will be in the eating – so we need to look at the implementation stages of the duty.'

Conclusions

The evidence gathered points to a few simple rules of good practice that will ensure buy-in from disability organisations and disabled people to a public body's Scheme. These practices reflect the conclusions of a previous piece of RADAR scoping that was carried out for Freeney Williams to inform the development of the DRC's guidance for disabled people on the duty:

1. Set up a steering group that meets regularly to discuss iterations of the Scheme. The steering group must reflect the diversity of the stakeholder group.
2. All meetings must be accessible and documentation available in a variety of formats.
3. Do not limit involvement to members of the group, but seek views from other stakeholders or service users to increase the strength of the evidence base.
4. Feedback to all participants how their ideas and contributions have been reflected in redrafting.
5. Remunerate participants where possible (the lack of remuneration is likely to cause difficulties in engaging disability organisations and disabled people in Scheme implementation).
6. Upon completion of the Scheme, set up an implementation group. This group should include those who sat on the steering group, staff from the public body, and other stakeholders or services users where appropriate.
7. Ensure constant feedback on progress to all stakeholders and service users, not just those who are on the implementation group.

Continual feedback about concrete progress is the factor that will most affect disability organisations and disabled people's level of participation and confidence in the Scheme. It is incumbent upon the public body to ensure that accurate data is collected to prove that real change is happening to policies, processes and practices across the organisation.

The organisations cited in this report were chosen as examples of particularly good Schemes. However, the research has shown that

there is still apprehension amongst those disability organisations and disabled people involved in the development that subsequent implementation may not be as effective as the first stages of development. It must be recognised by all public bodies that implementation is just as important and that adhering to the duty is an ongoing process of continual improvement. It is too early to judge the effectiveness of implementation, and the majority of interviewees were unable to point to examples of change that had resulted from the Schemes. It is recommended that a follow-up study take place in six to 12 months time to assess progress.