

DUNDEE CITY LICENSING BOARD

DISABILITY EQUALITY SCHEME

2006/07 - 2009/10

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Dundee City Licensing Board's Disability Equality Scheme 2007-2010

Executive Summary

We want to meet our duty under Disability Equality law which says that all public bodies have to:

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the Act
- eliminate harassment of disabled people that is related to their disability
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to meet disabled people's needs, even if this requires more favourable treatment

As part of the duty, all public bodies must publish their Disability Equality Schemes by 4 December 2006.

Attached is our scheme which includes how we have:

- involved disabled people
- conducted impact assessments
- prepared action plans
- gathered information
- used the information we gathered

We want to thank all those individuals and groups who took the time to tell us what they think of the Board during the writing of our Scheme.

We will continue to welcome the views of disabled people, their families and carers through Dundee City Council's contact centre:

- By Telephone to 'Customer Services Team' Number 01382 433308
- By Email to disability@dundeecity.gov.uk
- By Post to Customer Services Team, Freepost TY 487, Floor 2 Tayside House, Dundee, DD1 3RB.

Please let us know what you think of the Scheme, and our plans for using the information we have gathered.

You can view the full scheme on our website at www.dundeecity.gov.uk

This document is available on request in:

- Braille, large print, audio tape, electronic format
- Minority languages translation

1.0 Introduction

This Disability Equality Scheme sets out how Dundee City Licensing Board intends to fulfil its duties under Section 49A of the Disability Discrimination Act 1995 and the Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005. It also makes reference to the Disability Equality and Diversity Scheme which has been adopted by Dundee City Council. Whilst the Board is a different statutory body from the Council, it operates within the framework of, and through staff employed by, the Council. Consequently, it is the Board's intention to adhere to the terms of the Council's Disability Equality and Diversity Scheme which are relevant to its particular functions and many of the terms of the Council's Scheme and adopted and incorporated below.

2.0 Background

Dundee City Licensing Board is the licensing authority for the City of Dundee in terms of section 1 of the Licensing (Scotland) Act 1976. As such, it is responsible for dealing with applications for licences for public houses, hotels, off-sales and other premises which sell alcoholic liquor as well as ancillary applications for regular extensions of opening hours. It also deals with applications for betting and gaming licences and permits.

The Board, as mentioned above, is a separate statutory body from the Council. However, it is made up of 12 members, all of whom are Dundee City Councillors and support services are provided by Council staff based at 20 City Square.

When determining applications for licences, the Board requires to consider, amongst other things, the fitness of licensees/applicants and also the suitability of licensed premises for the sale of alcoholic liquor.

3.0 Disability Equality Statement and Objectives

Dundee City Licensing Board supports the view of Dundee City Council that we can only achieve the vision of a socially inclusive Dundee by recognising that equality of opportunity and freedom from discrimination across all social groups is a fundamental right.

We recognise that people may face discrimination because of mobility, sensory and intellectual disability.

As a Board, we also commit to leading the agenda and adopting a mainstreaming approach in promoting disability equality, and enabling freedom from discrimination as:

- service provider
- partner
- community leader

3.1 Objectives as an Employer

As mentioned above, the Board does not directly employ staff but instead uses staff employed by Dundee City Council. The stated aims of the Council's Disability Equality and Awareness Scheme in this regard are to be an employer that welcomes and encourages diversity in their workforce, prevents unlawful discrimination and promotes disability equality by:

- developing a workforce which is representative of the city's employable population
- monitoring recruitment and selection procedures, which are non-discriminatory and positively encourage applications from disabled people in the community through the 'Guaranteed Interview Scheme' <http://www.dundee.gov.uk/vacancies/guarantee.htm>
- ensuring that disabled people have fair access to learning and development opportunities
- creating more accessible working environments which enable people with a disability to work free from discrimination
- promoting a culture which values and respects the identity and individuality of each person
- evaluating jobs with the aim of ensuring equal pay for equal work
- working with employees and trade union representatives to promote positive action for disability equality

3.2 Objectives as a Service Provider

The Board wishes to ensure that all disabled people are provided with inclusive services by:

- consulting and involving them when assessing their needs
- working together with disabled people to ensure their needs are considered
- communicating information about services, which are produced using 'Plain English' standards and are available in alternative formats as necessary
- providing accessible services and making specific arrangements to meet the needs of disabled service users
- monitoring take up of our services where practicable and taking appropriate action to increase access to disabled people
- ensuring equal access for disabled people to Board complaints and satisfaction procedures
- supporting the provision of relevant disability equality and diversity training to Council employees
- ensuring that contractors or organisations providing any services procured by the Board comply with their responsibilities under disability legislation

3.3 Objectives as a Partner

3.3.1 To participate in and develop partnership working across the equality and diversity agenda.

3.3.2 Assisting and developing partnership working to achieve disability equality and diversity goals.

3.4 Objectives as Community Leader

To promote the disability equality and diversity agenda in the community by:

- encouraging disabled people to become involved in community and public life
- providing opportunities to promote the individuality of each person and their contribution to city life

4.0 Disability Legislation

4.1 The Disability Discrimination Act 2005 introduced a new section into the Disability Discrimination Act 1995. The new section, 49A, sets out a general duty to promote disability equality which applies to all public authorities including the Board. That general duty is supplemented by specific duties imposed by statutory instrument. This scheme is being made in accordance with the specific duties imposed on the Board by the Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005.

4.2 The general duty to promote equality has the following parts:

- to promote equality of opportunity between disabled persons and other persons
- to eliminate discrimination that is unlawful under the Act
- to eliminate harassment of disabled persons that is related to their disabilities
- to promote positive attitudes towards disabled people
- to encourage participation of disabled persons in public life
- to take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably than other persons

4.3 The 2005 Regulations require Dundee City Licensing Board to produce a Disability Equality Scheme that sets out:

- how we have involved disabled people in the development of the scheme
- our methods for assessing the adverse impact of our policies and functions on disabled people
- an action plan towards fulfilling our general duty under the 1995 Act (as amended)
- our ways of gathering information on the effect of our policies and practices on disabled people, particularly those who are users of our services.
- how we plan to review the effectiveness of our action plan and prepare subsequent Disability Equality Schemes
- annual reporting and publishing the results of assessment, monitoring and consultation

5.0 Mainstreaming Approach to Equality and Diversity and Equality Impact Assessment

The Dundee City Council Generic Equality and Diversity Scheme outlines the processes involved in mainstreaming and how they intend to achieve them. This is endorsed by the Board.

6.0 The Disability Action Group

6.1 The Board supports the Disability Action Group (DAG), which is a corporate Equality and Diversity review group that monitors overall performance in relation to disability equality and diversity objectives including:

- analysis of data produced by the Personnel Department to ensure that people with disabilities are represented in the Council workforce

- providing feedback and recommendations to departments regarding areas of positive action that could be taken to increase representation by disabled people in the workforce
- monitoring and providing feedback to departments in relation to the equality impact assessment process and disability equality and diversity action plan.
- analysis of monitoring data produced across all departments and identification of any potential barriers to accessibility for disabled people
- assist in the preparation of the disability equality and diversity scheme and in the development of generic equality and diversity policy
- provide input to the Council's consultation response to new policy/legislation relating to disability

6.2 The Disability Action Group (DAG) reviews monitoring reports and disability equality action reports from departments and provides feedback annually in September.

6.3 The membership of the Disability Action Group is made up of department 'Champions of Disability Equality'. These are supported by a lead officer who is a disability expert, with membership of the National Register of Access Consultants, and is tasked with the overall co-ordination of the content of the scheme. Membership has included representation by disabled employees. The membership is supported by the Council's Management Team who recognises the benefit to the Council of engaging with disabled people in the provision of more inclusive services and employment opportunities.

7.0 Progress Report - Generic Equality and Diversity Objectives

7.1 The Board as an Employer

The Generic Equality Scheme outlines the main areas of principle and practice regarding the Council's employment duty. This section of the scheme will review progress in relation to disability specifically.

7.1.1 In order to ensure that disabled people are adequately represented in

the Council workforce, and that opportunities for training and promotion are available equally, collection of data is under review.

7.1.2 The Council's monitoring policy which includes disability is available through the equality and diversity pages of their website <http://www.dundee.gov.uk/equanddiv/policy.htm>.

Priorities for action:

- publish monitoring data on Council's website in relation to all staff in post
- develop a data collection system in relation to employees who apply for promotion and training; to accompany current data collection on employees who are involved in disciplinary and grievance procedures; and employees who cease employment
- analyse equality monitoring data to see if there are differences in the way disabled people are treated and to identify any potential barriers
- continue to review their harassment policy and procedure <http://www.dundee.gov.uk/equanddiv/report229-2002.pdf> to ensure it is effective in helping meet the Council's general duty to eliminate harassment of disabled persons that is related to their disabilities
- raise awareness of 'flexible working' arrangements for employees, and monitor uptake of flexible working by disabled employees to assess its impact on employment opportunities for disabled people within Council departments. The development of a new "Employee Handbook" will also assist with awareness raising
- request a confidential survey of Council employees who have a disability, to collect a wider range of views on positive and negative experiences of the Council as an employer.

7.2 The Board as a Service Provider

7.2.1 The development of policy and procedures in line with the Council's Equality Impact Assessment (EQIA) and the screening of all policies to determine adverse impact on disability involved the following process:

- formulation of a toolkit to assist officers in the EQIA process
<http://www.dundee.gov.uk/equanddiv/eiatoolkit.pdf>
- training of key Council officers involved in policy development and quality assurance in the EQIA screening process as it relates to our general duty under the DDA 1995 (as amended)
- reviewing of functions and policies and their relevance to disability equality and diversity (the full recording of this process is available on the Council website) -
- <http://www.dundee.gov.uk/equanddiv/eqimpassscreen.pdf>.
- identifying areas for action and the need for full Equality Impact Assessments to address any areas of potential or adverse impact

Priorities for Action

The EQIA screening is only part of the EQIA process. This will be supported by:

- the provision of training to Council officers in the full EQIA procedure
- monitoring the progress of full Equality Impact Assessments in relation to disability
- implementing an effective engagement strategy for involving and consulting disabled people supported through the Equality and Diversity Partnership
- building the capacity of disability groups to engage in the EQIA process
- integrating disability equality and diversity objectives into the corporate planning process

7.2.2 Monitoring of Service Delivery

The corporate equality and diversity monitoring strategy which can be viewed on the Council website will facilitate collation of service users by disability.

7.2.3 Providing Accessible Services

The Board operates from premises owned and staffed by the Council. The Council strives to make its services more accessible as part of its continuing improvement programme. The Council reported this year 81% accessibility of its 159 public accessed premises.

A full scale programme of Accessibility Audits of over 300 Council properties including staff areas has provided Council departments with an information source on which to build continued service improvement.

7.2.4 Accessible Information and Communication

The Board supports the Council's commitment to the use of a range of Good Practice sources in its provision of accessible information and communication:-

- Scottish Accessible Information Forum (SAIF) Standards for Disability Information and Advice Provision in Scotland
- Royal National Institute for the Blind (RNIB) See It Right campaign
- World Wide Web Consortium (WC3) Web Accessibility Campaign
- Sign Design Guide, a guide to inclusive signage: Joint Mobility Unit (JMU) and Sign Design Society
- BS 8300: Design of Buildings and their approaches to meet the needs of disabled people, Code of Practice (ref. Signage)

7.2.5 Training and Development

The Council demonstrates its commitment to continuous improvement and staff development through IIP (Investors in People) accreditation, and EFQM development of excellence programmes, as well as a protocol for Training for the whole authority.

Departments have in place Training Co-ordinators, and the council completes individual Employee Development Reviews to ensure that all staff are appropriately trained to carry out their duties

8.0 Consultation and Involvement of Disabled People in our Disability Equality Scheme

- 8.1 The Board will continue to use good practice guidance to make engagement with disabled people more effective. The following web links were referenced during this scheme's consultation and involvement process -
http://www.drc-gb.org/employers_and_service_provider/disability_equality_duty.aspx,
<http://www.dundee.gov.uk/ce/consult.pdf>
- 8.2 This scheme has been the subject of a range of consultation and involvement held formally and informally.
- 8.3 The Board has sought to collect views from the community in a variety of ways:
- ? Questionnaires issued in person, by email, and by post to groups and individuals, including all current licence-holders.
 - Questions on the questionnaire are 'open' to gather people's actual concerns, and explore better ways to communicate with them. Some specific questions enabled more focused feedback.
 - ? Discussion of the implications of the Disability Discrimination Act for licensed premises at meetings of the Liquor Licensing Consultative Forum, attended by Licensees and service users.
- 8.4 The results of involvement that informed this scheme can be viewed in Appendix 1.

9.0 Publication and Access to Disability Equality and Diversity Scheme and Policies

- 9.1 This Scheme, together with the Council's equality and diversity policies and procedures are available on the Dundee City Council website Equality and Diversity pages -
www.dundee.gov.uk/equanddiv/main.htm.

This includes:

- the Council's Disability Equality and Diversity Scheme

- Results of Involvement of disabled people which Informed that Scheme
- Disability EQIA (Equality Impact Assessment) Screening Programme
- Disability EQIA (Equality Impact Assessment) Action Plan
- Disability Action Group - minutes of corporate Disability Equality and Diversity working group
- Disability Issues Training and Good Practice Audits
- EQIA Toolkit and Data Monitoring
- Useful Resources

10.0 Steps for the Future

Dundee City Licensing Board has set out in this Disability Equality Scheme its plans to meet its statutory requirements under the Disability Equality Duty with regard to gathering and using evidence, assessing impact, and involving disabled people. It has identified priorities for action to ensure that disability equality is promoted and practical outcomes are realised. The Board has already advised licence-holders of their responsibilities under disability discrimination legislation and also of its intention to take these issues into account where appropriate when considering the fitness of licence-holders and the suitability of licensed premises. In addition, it is clear from many of the responses to the consultation that there is a lack of awareness as to the functions and duties of the Board. Steps to deal with this will be taken as a priority, both through engagement with representative groups and the public generally.

10.1 Gathering and Using Evidence

Dundee City Licensing Board has set out a framework to ensure that we gather and use evidence to inform our decision making. In addition, Dundee City Council has developed categories for equality monitoring and is already applying these to employment within the authority. They plan to expand equality monitoring in assessing any negative impact in service delivery. Further training is required to encourage relevant monitoring, and awareness raising within community groups is needed so that the value of such monitoring may be more fully appreciated.

We are planning to extend our collated list of respondents to carry out more focused short surveys, including if appropriate staff of the council who have a disability, and identified hard-to-reach community groups

10.2 Impact Assessment

Dundee City Council has developed and implemented the first stages of an EQIA (Equality Impact Assessment) process, by screening its policies and functions for negative impact on disabled people. This has brought forward an Action Plan which will be monitored by the corporate Disability Action Group through a reporting mechanism from the Council's Strategic Monitoring Database.

They are still developing the implementation of Full Equality Impact Assessments in line with a targeted programme, and further training of staff is anticipated to realise this next stage in the process.

10.3 Involving Disabled People

We plan to focus continuous involvement of disabled people through awareness raising of how to engage with the Board, and to review outcomes on an annual basis in preparation for drafting a new scheme in three years time.

Appendix 1 Results of Involvement of Disabled People that Informed this Scheme

Statement of Intent and Questions

Dundee City Licensing Board **Disability Equality Scheme**

(Alternative formats available on request)

What we will do:

- We will make sure people with disabilities are encouraged to work with us as members of the community
- We will check that you can use our services as easily as possible
- We will work with you to decide what services are needed in Dundee and how we can provide them

How we will do this:

- Ask you about what new services you would like and what you would like changed
- Listen to your suggestions and if possible put them into practice
- Let you know what has changed as a result of your suggestions
- Make it easier for you to tell us what you think of our services
- Give you information about services that is clear and easy to understand
- Give you copies of leaflets, letters and information in a format that suits your needs, when you need it
- We will train staff to make sure that our service meets your needs

- We will check the number of people using our services who are disabled to make sure there are not any problems

Dundee City Licensing Board Disability Equality And Diversity Scheme Community Consultation/Involvement

QUESTIONS

Do you consider yourself to have a disability: YES/NO

Yes	-	Count	6
No	-	Count	0
TOTAL			6

I consider that members have:	Learning Difficulties	.....
	Mental Health Needs	.....
	Physical Impairment	.....
	Visual Impairment	.....
	A hidden Impairment (Epilepsy etc.)	.....

Members are:	Deaf or have hearing impairment	.....	Use BSL	.....

Members are:	Male	.....	Female	.....
	From a Black/Ethnic Minority		.....

Community

Members ages are:	under 18.....	19 to 30.....	31 to 50.....
	51 to 70.....	Over 70.....	

? How would you like to be involved in the future?

- **No involvement;**
- **Information in accessible format about what the licensing board does;**
- **Meetings and consultations;**
- **Newsletters;**
- **Perhaps ask elected members to attend various meetings;**
- **Our group is primarily for people with mental health issues. Mental health is our main interest;**

? Would you like us to come along to speak to your group about services?

- **No (1);**
- **Yes - to our Local Action Group;**
- **Yes - (2);**
- **Not at the moment.**

? How can we make it easier to tell us what you think about services?

- **Alternate formats (1);**
- **Give us clear information about what services you provide;**
- **Newsletters, which I can distribute to the Lip-reading Group;**
- **Personal contact;**
- **Accessible information;**
- **Consultation events/processes;**

- **User led reviews;**
- **Being available when service users need assistance;**
- **We will give you information that you need that is clear and easy to understand. What kind of information do you need?**

- **Happy for contact details, to be used in future consultation (2);**
- **What services you provide;**
- **As much as you can give us;**
- **Accessible information -**
paper/electronic/community languages;
- **Regarding mental health issues;**

? How should we give you information?

- **Tape/DVD;**
- **Easy read material with symbols and pictures;**
- **Help us to know who we should speak to;**
- **Newsletters;**
- **Mail (2);**
- **Emails (2);**
- **Minutes of Meetings;**
- **Can we attend Board or Committee meetings?**
- **Multi-format;**
- **Ensure information is widely circulated to appropriate sites;**
- **In person if required;**

? What would make it easier for you to use our services?

- We need to know what they are and how we might use them;
- Staff need to be deaf aware
- Unclear what services you offer;

? List up to three things that Dundee City Licensing Board could do better to meet your needs and should change

- Give us information about what you do;
- Can we be a consultative group for disabled needs?
- Checking premises for disabled facilities, e.g. access, toilets etc.
- Promote equality for disabled people;
- Tell us what your duties are (we have found completing this questionnaire quite difficult);

? List up to three things that Dundee City Licensing Board is currently doing well, and should keep the same

- You have not provided us with any information about what you actually do so we cannot comment;
- We are not able to answer these questions because we do not know what you do. Anything you can do to help deaf people would be good;
- Don't know what Licensing Board actually does. Can you please send information?
- We have no idea;