



*Dunbartonshire and Argyll & Bute
Valuation Joint Board*

Disability Equality Scheme

Disability Equality Scheme

Foreword

The Disability Discrimination Act 1995 as amended provides an opportunity for Dunbartonshire and Argyll & Bute Valuation Joint Board (the Board) to reaffirm its commitment to disability equality.

This Disability Equality Scheme, together with its associated action plan, represents part of a positive equal opportunities agenda which includes the promotion of disability equality by the Board within Argyll & Bute, and East and West Dunbartonshire.

The promotion of equal opportunities generally, and disability equality in particular, are matters to which I am personally committed. This scheme forms part of that commitment and part of Dunbartonshire and Argyll & Bute Valuation Joint Board's wider equal opportunities policy.

Our performance in relation to the proposals contained in this scheme will be monitored and audited, and progress reported to elected members of the Board and to the citizens of Argyll & Bute and East and West Dunbartonshire.

David C. Thomson
Assessor and Electoral Registration Officer
Dunbartonshire and Argyll & Bute Valuation Joint Board

December 2009

1. Introduction

This Scheme has been reviewed in the knowledge that there will be a consolidated Equalities Bill during 2010 and it is the intention of the Valuation Joint Board to consider implementing a single Equality Scheme and a single Annual Report for all the strands within a short time of the Bill becoming law.

In the meantime, this document outlines Dunbartonshire and Argyll & Bute Valuation Joint Board's Disability Equality Scheme which forms one specific element of our general commitment to equal opportunities. Equality is not a minority issue as it is important for everyone.

The Disability Discrimination Act 1995 as amended has placed a positive duty on public bodies to promote disability equality. The principle of equality is also crucial to the Government's agenda to modernise Local Government.

The Board strives to put diversity and inclusion at the heart of its work. Our challenge is to ensure that equality considerations are central to all that we do.

In accordance with the General Duty imposed by the Disability Discrimination Act, when we carry out our functions we will have due regard to the need to: -

Eliminate unlawful disability discrimination

Eliminate disability related harassment

Promote equality of opportunities by:

- **Promoting positive attitudes towards disabled persons**
- **Encouraging the participation of disabled people in public life**

Recognise that disability equality extends to treating disabled persons more favourably than others

The Board therefore aims to make disability equality a central part of the way it works by putting it at the centre of policymaking, service delivery, regulation and enforcement and employment practice.

As an employer, the Board monitors areas of its employment policies by ability groups, including existing employees, leavers and applicants for employment, promotion and training.

The Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations also place Specific Duties on public authorities to enable them to meet the general duty. In accordance with these duties, the Board has prepared this Disability Equality Scheme. As such it specifies:

How disabled persons have been involved in the development of the Scheme

The methods to be used for assessing the impact, or likely impact, of its policies and practices

The actions that we propose to take to ensure compliance with the Act

Our arrangements for monitoring the effect of our actions in promoting equality of opportunity for disabled persons, both in service provision and employment practice

The steps that we take to review our performance

The procedure for reviewing and publishing a revised scheme

The procedure for reporting and publishing the effects of our action

2. Discrimination Defined

Case law has shown that discrimination can take various forms, including direct and indirect discrimination.

Direct Discrimination

Direct discrimination occurs when a person (including local authorities, trade unions, employment agencies, vocational training bodies etc) treats another person less favourably than another on ability grounds.

Indirect Discrimination

Indirect Discrimination occurs when there is a condition or requirement which, although applied equally to people of different ability groups, has the effect that the proportion of an ability group that can comply is considerably smaller than that of another ability group that cannot comply. Such a condition or requirement is unlawful if it cannot be justified on bona-fide grounds and if it causes a detriment to the person of the ability group that cannot comply.

Victimisation

It should be emphasised that victimisation is also unlawful in terms of the legislation. For example, it is unlawful to treat someone less favourably because they have brought a complaint of discrimination, have supported such a complaint or are believed to have done so.

Harassment

Harassment is a very broad concept and will include actions which are specifically prohibited by the Disability Discrimination Act 1995 and that which was made unlawful by the 1997 protection from Harassment Act. It can take many forms from direct verbal abuse to comments which make an individual feel uncomfortable, humiliated, intimidated, or degraded.

The Valuation Joint Board will not accept any instances of discrimination against or harassment of disabled persons and will deal with any reported instance through existing Disciplinary and Grievance procedures.

Staff are encouraged to report any instance of discrimination or harassment through the existing Grievance and/or Confidential Reporting ("Whistle blowing") Procedures.

3. Involvement

In a small organisation such as the Valuation Joint Board, which primarily carries out statutory functions over a very large and diverse stakeholder base, it would be disproportionate to involve all relevant stakeholders in the development of the Disability Scheme. Instead, reference has been made to material published by representative groups, research and consultation by partner organisations and our own practical experience both of delivering services to disabled persons and as an employer of disabled persons. Consultation is ongoing with Access 2 Democracy and Disability Consultants regarding Electoral Registration for deaf people and the suitability of forms and e-forms used by the Board

The Joint Board is, however, committed to developing means of involving disabled persons to further develop the Scheme and the Board:

- puts itself in their shoes – the disabled person is the expert as they have to deal with inaccessible buildings and transport, inadequate support or a hostile environment
- works with its partners to avoid duplication of consultation
- builds relationships to involve disabled people
- recognises that it takes time – a quick fix is not a long-lasting solution
- makes equalities training part of the mainstream activity

4. Impact Assessment

The Management Team of the Valuation Joint Board uses its established Risk Management approach to identify the effects of changes of policy and legislation on disabled persons. Negative effects for disabled persons are avoided, mitigated or accepted as appropriate and, where the risk is deemed to be high, a full Impact Assessment is carried out. The Impact Assessment identifies where the Joint Board can promote equality of opportunity and any gaps in policy or adverse effects will be addressed.

The details of the approach to full Impact Assessments will vary depending upon the nature of the change and its likely effect for disabled persons but each will include the following general steps:

- (a) Consider all available data and research findings
- (b) Assess the effect on disabled persons (as above)
- (c) Consider mitigation action
- (d) Consider alternative approaches and opportunities to promote equalities
- (e) Decide on the most appropriate actions
- (f) Establish arrangements for monitoring outcomes
- (g) Publish the Impact Assessment
- (h) Promote positive effects

5. Action Plans

Making sure the Disability Equality Scheme works to ensure compliance with our duty to promote equality of opportunity for all

Objective	Action	Outcome	Timescale
To implement the Disability Equality Scheme	Amend Action Plan	Increased awareness of disability equality and eradication of discrimination	Ongoing
To identify managers' responsibilities regarding implementation of the Disability Equality Scheme	Promote disability equality as part of managers' generic competencies	Increased awareness of disability equality within all decision making	Ongoing
Raise the standard of disability equality across the Joint Board	Review as appropriate	Revised scheme	Annual assessment with full review in 2012
Raise public awareness of the scheme	Make Scheme available via the Joint Board's website and in all required formats	Increased awareness of the VJB's commitment to eliminate discrimination	Ongoing
To monitor the effects of the Scheme	Annual monitoring and reporting	Satisfaction that progress is made under the scheme. Revise the Scheme as necessary	Annual reporting to the Management Team

Identifying relevant functions and policies to give appropriate priority to the promotion of disability equality when carrying out functions and policies

Objective	Action	Outcome	Timescale
To meet the requirements of the Disability Discrimination Act 2005	To review all functions and policies according to our duty to promote disability equality	All functions and policies are reviewed as per the Scheme. Application of the scheme across the functions and policies	Ongoing

Assessing and consulting on the likely impact of policies to determine how functions and policies affect disabled people and whether they are having an adverse impact on some individuals or groups.

Objective	Action	Outcome	Timescale
Management to be aware that monitoring information required	Monitoring form produced and adopted	Data monitored in a consistent manner	Ongoing
Make arrangements to monitor adverse impact of the promotion of disability equality	Ongoing appropriate evaluation of functions and policies	Reporting Framework contains full set of reports Customer Consultation process includes equalities monitoring	Ongoing
To ensure consistent use of monitoring procedure	Use forms to monitor all as at 6.1 below	Improved service delivery	Ongoing

Communicating the results of assessment and monitoring to make sure that the results are clear

Objective	Action	Outcome	Timescale
Identification of information required	Management team provided with details of information required and in what format	Information made available Reporting Framework contains full set of reports	Ongoing
Development of staff guidance on how to produce accessible information	Management team given guidance on production of accessible information	Information made more easily available to the Valuation Joint Board's partners	Ongoing
Make arrangement to publish results	Results to be published in various required formats and on VJB website	Equalities outcomes reported in Annual and Public Performance Reports	Ongoing
User satisfaction monitoring	Encourage representations to be made Review Equalities elements of Customer Consultation process for improvement	Allows for actions/Scheme to be reviewed	ongoing

Ensuring access to buildings, functions and services by removing barriers

Objective	Action	Outcome	Timescale
To identify needs of disabled people and barriers to accessing services	Use monitoring and consultation information to identify need. Improve Website. Installation of text phones. Standard forms being reviewed in consultation with the Disabled Consultancy. Consultation with the Access to Democracy to Democracy Project	Increased satisfaction levels	Ongoing Ongoing from September 2009 Ongoing from November 2009 Ongoing from October 2009
To provide information in an accessible format	Increase staff knowledge on what is available to accommodate people with special needs. Provide tape and Braille versions of documents on request Consult with stakeholders on suitability of forms and e-forms used by the Board	Improved service delivery and satisfaction	Ongoing
To continue to comply with DDA requirements	Implement building alterations as required	A more accessible environment	Ongoing

Employment requirements to create a workforce that better represents the profile of the community

Objective	Action	Outcome	Timescale
Employment monitoring	Report annually	Production of annual trends and action plan amendments	Annual
To eliminate possible discrimination in the workforce	Ensure continued monitoring of: Training applications Grievance (harassment) complaints Disciplinary proceedings Exit interviews Promotions Train staff on equality duties	Publication of statistics Staff trained to consider needs and requirements of disable persons	Ongoing
To identify barriers to employment	Continue to consider all possible methods to achieve a more balanced workforce profile	Improved statistics for workforce profile	Ongoing

To eliminate possible discrimination in the recruitment process	Improve monitoring practices. Interview all candidates satisfying the minimum requirements who identify themselves as having a disability	Equality of opportunity in the recruitment process	Ongoing
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Training Staff to ensure that staff has the information required to promote disability equality

Objective	Action	Outcome	Timescale
To train staff on the requirements of the Disability Equality Scheme	Carry out appropriate training including induction training	A balanced staff Annual statistics on training	Ongoing
To ensure appropriate staff know their responsibilities	Managers to cascade information	Rising awareness of the Disability Discrimination legislation	Ongoing
To ensure ongoing training as appropriate	Keep up to date with changes in legislation Promote equalities as part of the Training and Development process	A workforce kept up to date with legislative requirements	Ongoing Annually

6.0 Monitoring

6.1 The Board is required to have in place arrangements for monitoring, by reference to the ability groups to which they belong, the number of applicants for employment, training and promotion and the number of staff. Monitoring is already carried out through the Valuation Joint Board's Reporting Framework on the following basis for staff:

- (a) in post,**
- (b) receiving training,**
- (c) benefiting or suffering detriment as a result of performance assessment,**
- (d) involved in grievance procedures,**
- (e) subject to disciplinary procedures, and**
- (f) ceasing employment with the Board**

6.2 The results of the monitoring detailed in 6.1 are published annually.

6.3 The Assessor, on behalf of the Board, makes adequate arrangements to provide and report the information detailed above. The format, content and frequency of reporting are agreed between the Board and the Assessor.

6.4 Although the Board takes no direct part in the employment of staff, other than Chief Officials, it may consider appeals made by employees against the actions of the Assessor on questions of discipline and grievance. Procedures for dealing with appeals are drafted and applied in a way that avoids unlawful discrimination and they will be reviewed accordingly. The Board will monitor and analyse grievances, disciplinary matters and appeals by ability group.

6.5 The Board recognises that it is important to analyse the information obtained from the monitoring in order to identify any differences between ability groups. The Assessor investigates the processes that have resulted in any differences and take the necessary action to address barriers or failings.

6.6 Targets will be set as detailed in the Board's Equalities Targets Policy and reviewed and the monitoring determines.

6.7 The Clerk, the Treasurer to the Board and their respective staffs are employees of West Dunbartonshire Council and are subject to its monitoring processes.

7. Reporting

The Valuation Joint Board's Reporting Framework forms the basis for this with statistics being drawn from the monitoring procedures and the results being presented both to the Management Team, the Board and to the public as appropriate.

8.0 The Board's Functions

8.1 General - The principal function of the Board is to provide electoral registration, council tax valuation and non-domestic rating valuation services to its constituent authorities and the public.

8.2 Appointment and Conduct of Senior Officers - The Board, in conjunction with the Scottish Ministers, is responsible for the appointment of the Assessor and for his/her conduct. It is also responsible for the appointment of the Depute Assessor. The Assessor is responsible for the operational management of the Board's employees.

8.3 Scrutiny - In its scrutiny role, the Board is required to keep itself informed as to the manner in which the Assessor deals with operational matters and to this end it receives periodic reports from the Assessor on matters relating to the policies and operations of the organisation and its performance, including any complaints received.

8.4 The Board has considered which of its functions are relevant to the general duty to promote disability equality and how relevant they are to it. These functions, along with the action, which the Board in conjunction with the Assessor intends to take, are detailed below.

Functions and Actions

Appointments

The Board is subject to Scottish Executive guidance governing the recruitment and selection of senior officers. The Board consults with its personnel advisers in an effort to identify any measures it can take with a view to further promoting equality of opportunity in its recruitment and selection process.

Employment of Staff

The Board is committed to the development of positive action to promote equal opportunities. Through the implementation of this policy the Board focuses on the eradication of discrimination, whether direct or indirect, in its own structures, employment practices and the provision of services. The Board has established a monitoring regime as set out in Part 6 above.

Complaints

The Assessor has developed a Complaints Procedure. It draws on the expertise of its constituent authorities on this matter and considers any steps it can take to address the issues. The assessor will collate and report information relating to ability in his analysis of complaints made under this procedure.

Customer Consultation

The Customer Care process is designed to allow analysis of customer satisfaction for ability groups. An assessment is made of any barriers faced by the disabled community through offering consultation with ability groups.

9.0 The Board's Policies

9.1 The Board reviews its Standing Orders, Financial Regulations, Policies and Procedures to include a consideration of the way they might be amended to promote equality of opportunity

9.2 The Board is required to identify and put in place arrangements for assessing and consulting on the likely impact of its proposed policies on the promotion of disability equality. The Board recognises that the steps required in respect of each policy will vary depending on the nature of the policy and the surrounding circumstances. From the introduction of this Scheme, the Board has required that all reports presented to it proposing policies that have any significant relevance to disability equality include details of: -

an assessment of the impact of the proposed policy on disability equality

any consultation carried out in conjunction with that assessment and

any action (including monitoring, where appropriate) proposed in consequence of that assessment and consultation

The Board considers these matters in reaching its decision on the proposed policy.

10.0 Training

10.1 The Board has identified and put in place arrangements for training its staff in relation to its duties to promote disability equality. The Board is committed to ensuring that the Assessor's staff receives adequate training in these areas.

10.2 The Board considers it important that its own members receive training in its obligations with regard to disability equality, and will ensure that current and future members participate in training programmes provided by its constituent authorities.

10.3 A statement of commitment to Disability Equality is included in staff Induction packs

11.0 Publicity

11.1 The Board is required to identify the arrangements it will make to publish the results of any assessments, consultations and monitoring it carries out to establish whether its policies have any impact on disability equality. The Board is bound by and complies with the requirements of the Local Government etc. (Scotland) Act 1994 in respect of access to information.

11.2 The Board is also required to identify the arrangements it will make for ensuring public access to the information and services it provides. At present, the Board has no information as to the level of awareness of its role among the various communities in the area. The Board will draw on the expertise of its constituent authorities in this matter and consider what action it requires to take to develop public awareness.

11.3 This Scheme will be published and circulated to all members, officers and employees of the Board. Copies will be available from the Assessor at 235 Dumbarton Road Clydebank or Kilbrannan House, Bolgam Street, Campbeltown. The Scheme will also be placed on the Board's web-site at www.dab-vjb.gov.uk. Translations will be made available on request using the services of locally identified translators or through services accessed out with the area. Braille copies will be made available on request.

12. Duration and Review

This scheme would normally be intended to cover the period from December 2009 to December 2012 and would be subject to review at the end of that period. As there will be a consolidated Equalities Bill during 2010 it is the intention of the Valuation Joint Board to consider a single Equality Scheme and a single Annual Report for all the strands within a short time of the Bill becoming law.

The Board will, if considered appropriate, review the Scheme or any part of it at an earlier date in response to comments made from individuals or organisations or consultations with other bodies.