

Disability Equality Scheme for The Independent Review Service

December 2006

Foreword

This is the Independent Review Service's first Disability Equality Scheme, which forms an integral part of the organization's wider diversity and equality framework.

Our Corporate Plan includes a commitment to respect and accept the differences of others and work together as an organization to build a diverse workforce. As part of this we are committed to ensuring disability equality in our service provision to customers and in our responsibility as an employer.

This Disability Equality Scheme sets out the measures already in place and how we intend to reinforce this commitment. To further ensure the IRS meets its duty under Disability Discrimination legislation to promote equality, key objectives will be delivered through our three-year Disability Equality Action Plan.

Introduction

The Independent Review Service is a small independent statutory body. We have one office in Birmingham and less than 100 staff. We provide the independent grievance process, by means of a review, for customers who are dissatisfied with Jobcentre Plus decisions on applications to the discretionary Social Fund. This part of the Fund provides one-off payments to help customers meet a broad range of expenses in times of particular difficulty. We serve a diverse customer base which includes some of the most vulnerable people in society, including people with mental and physical disabilities. We serve customers throughout Great Britain and most of our business is carried out through written or telephone correspondence.

What is a Disability Equality Scheme?

The Disability Discrimination Act 1995, amended by the Disability Discrimination Act 2005, places a statutory General Duty on public authorities to promote disability equality. The 2005 Act provides a robust legislative framework which requires certain public authorities to actively promote disability equality. This means that named public authorities must, in carrying out all their functions, to have due regard to the need to:

- Eliminate unlawful discrimination
- Eliminate unlawful harassment
- Promote equality of opportunity between disabled people and other people
- Take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life

The Disability Discrimination Act also imposes a number of specific duties on the Independent Review Service as a scheduled public authority listed in the Disability Discrimination (Public Authorities Statutory Duties) Regulations 2005. These duties are intended to assist in meeting the General Duty, in particular by setting out what should be done to eliminate discrimination and promote equality. The core requirements are:

- The preparation and publication of a Disability Equality Scheme
- Implementation of the Disability Equality Scheme (via an action plan in the scheme)
- Annual reporting

The Independent Review Service's Scheme meets these requirements and contributes toward our aim of promoting equality and ensuring that we meet the needs of our disabled customers and employees. The Scheme sets out our objectives for ensuring disability equality, and the action we will take over the following three years to fulfil the general duty and deliver improvements. It also details action already taken to promote Disability Equality including the involvement of disabled people in putting together our inaugural Scheme.

Within not more than three years, we will review, and make appropriate revisions to, the Scheme.

Communicating the Disability Equality Scheme

We recognize that disability equality may mean different things to different people. To help ensure that the Scheme prevents discrimination and promotes equality, it is important that all our staff form a common understanding of this issue. To help foster greater understanding, our recent Disability Equality Staff Survey communicated to staff details of the Disability Discrimination Act including a definition of what the Act means by disability. Our survey also informed staff of the need for the Independent Review Service to produce this Disability Equality Scheme.

For the purposes of the Disability Discrimination Act someone is classed as disabled if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. A more detailed explanation of what is covered under the Act can be found at appendix one.

Our Key Objectives

This Scheme sets out the framework within which the Independent Review Service can promote equality for, and prevent discrimination against, disabled people as users of our services, as our employees and members of the community. The Scheme also sets out the action planning framework from which we can build standards and focus on core areas. The following key objectives are intended to support and complement this framework:

Objective 1 - We will implement and monitor the Disability Equality Scheme by:

- Making sure the Disability Scheme is published and put in practice by the required date
- Reporting annually
- Within not more than three years, reviewing and making appropriate revisions to the Scheme
- Assigning areas of responsibility
- Publishing the results of assessments and consultations
- Raising staff awareness of the Disability Equality Scheme
- Raising public awareness of the Scheme

Objective 2 - We will work in partnership with disabled people by:

- Enabling disabled people's active participation in our duty to promote equality of opportunity for all, including the development of the Disability Equality Scheme
- Consulting with and involving disabled customers and people acting on their behalf on issues affecting them
- Consulting with and involving disabled staff on issues affecting them
- Developing links with disabled people and organisations to help us comply with our duties under the Disability Discrimination Act
- Analysing any feedback to distil priorities for action
- Arranging relevant forums such as training or awareness sessions

Objective 3 - We will promote disability equality by:

- Monitoring the impact of policies on the promotion of Disability Equality
- Continuing to seek a diverse workforce reflecting the general population, including people with disabilities
- Monitoring employment and recruitment
- Removing potential barriers to accessibility, particularly in relation to accessing the social fund, our full range of services and information
- Providing the appropriate support and assistance for disabled people according to their individual needs
- Making people aware of relevant legislation
- Arranging for training and awareness sessions on specific issues relating to disability
- Challenging any discriminating behaviour against, or harassment of, disabled people

Current Position

The following section details action already taken and planned initiatives:

Implementing and Monitoring the Disability Equality Scheme

Our commitment to developing and publishing the Scheme is underlined by involvement from the outset at senior level. The IRS manager appointed a member of the senior management team to personally oversee the Scheme's development and implementation. To ensure inclusivity we set up a Disability Equality Project Group. This group comprised a senior manager (with responsibility for training), a Business Team manager, a representative from our Research and Development Team, and our Human Resources Manager. One of these people is disabled under the terms of the Disability Discrimination Act and, during the next three years, we will extend the level of involvement from disabled staff.

The Independent Review Service published this inaugural Scheme within the prescribed deadline of 4th December 2006. A full copy of this Scheme has been issued to all staff and is available for public consumption via our website. Hard copies in different formats are also available on request.

We shall conduct an annual review of the Scheme's Action Plan. And within not more than three years, we shall formally review and make any necessary revisions to the Scheme. The project group will retain responsibility for reviewing the Scheme and will also develop and oversee any subsequent revisions.

When developing any new policies we will consider the likely impact on disability equality. Assessment and consultation on the likely impact of proposed policies will be proportionate and will depend upon the nature of the policy and the relevance, if any, to the promotion of disability equality. Assessments may include use of historical data, existing surveys, or new mechanisms. Possible consultations could include members of staff, any staff council in operation, trade unions, individual users of the review service, individuals with relevant expertise, and relevant organisations, local and national.

The results of any assessments and consultations will be published on the IRS website, and where appropriate in the Social Fund Commissioner's Annual Report.

We will continue to monitor the impact of our policies on the promotion of disability equality. Our monitoring processes include:

- Surveys of customers, representatives, and staff
- Disability monitoring of customers and staff
- Monitoring of complaints
- Monitoring of the use of our services including language line and translation services

Working in Partnership with Disabled People

The IRS recognises that the involvement of disabled people and staff is critical to the success of this Disability Equality Scheme. The direct involvement of people with disabilities will, therefore, remain a key feature of our Scheme and any subsequent policies flowing from this.

The Social Fund Commissioner regularly meets with a wide variety of individuals and organizations, including those run by and representing people with disabilities. These organizations include:

- MENCAP
- MACA
- MIND
- RNID – Scotland/England/Cymru
- RNIB – Scotland/England/Cymru
- Disability Alliance
- Scottish Association of Mental Health
- The Action Group
- Family Fund
- Family Welfare Association
- Butterfly Trust

Our business links with the above bodies have led to initiatives such as awareness and training sessions for our staff. Over the past five years we have also delivered a series of social fund workshops to outside organizations including those run by and representing people with disabilities. Overall, this work is aimed at raising awareness of customers' entitlement to an independent review and to help our people better understand issues facing people with disabilities. We shall continue to build business links with relevant organizations over the next three years.

Prior to recent amendments to disability equality legislation the Independent Review Service already conducted regular staff surveys on disability, the last of which was in 2004. We also conduct regular customer surveys as part of our wider diversity framework. However following the new disability equality legislation we issued a series of more comprehensive questionnaires to staff, customers, and the above external organizations. This was about much more than consultation: the questionnaires were designed to actively encourage respondents to help shape our Scheme. For example, in issuing the staff survey we explained that we would particularly welcome input from staff with disabilities in developing our Scheme.

The above surveys included an explanation of what is meant by 'disability' under the Disability Discrimination Act, before asking respondents if they considered themselves disabled. The surveys issued to customers and external bodies asked for feedback on people's experiences in dealing with the IRS and ideas how we could improve existing services. All the surveys asked people for ideas around how we might recruit and retain more people with disabilities; and about a range of other issues such as how we might further raise awareness of problems facing people with different disabilities. The surveys also invited input into the development of this Scheme, including ideas on how we might further promote disability equality.

A separate and more detailed report on results from the customer survey can be viewed on our website.

From the staff survey we had a 30.6% response rate. 16.4% of the respondents identified themselves as disabled under the terms of the Disability Discrimination Act, and our Human Resources manager will contact those staff to ensure we are meeting their needs in the best way we can, and to consider any reasonable adjustments they may suggest.

The vast majority of respondents said that they are satisfied with the way we treat both disabled staff and customers. Staff have not witnessed any discrimination, harassment, or unfair treatment on the grounds of disability.

The results of the above surveys have fed into the development of this Scheme and the three-year action plan, and have generated some key priorities. These include:

- Monitoring staffing levels and call response times on our Customer Service Team
- Procurement of additional awareness sessions from organizations run by and representing people with disabilities. This is to include greater input from people with first-hand experience of the potential barriers and other difficulties issues facing those with specific disabilities
- Raising staff awareness of help outside of the social fund that might be available to people with disabilities
- Continuing to work with outside organisations and the Jobcentre Plus to address issues around access to the social fund
- Re-evaluating internal access arrangements within our floor of the building and in particular accessibility for people with mobility problems

Promoting Disability Equality

The Independent Review Service remains committed to building a diverse workforce reflecting the general population including people with disabilities. To help achieve this we will continue to:

- Monitor diversity on a regular basis - this extends to customers, staff and job applicants
- Publish policies on diversity and equal opportunities
- Arrange appropriate training and awareness for staff on disability legislation
- Advertise vacancies in the disabled press
- Monitor the results of any recruitment or promotion exercises

Our Corporate Plan includes a commitment to provide an open and accessible service and promote easy access for all of our customers. To help achieve this goal we now offer a number of alternative services for people with disabilities, taking account of potential barriers including language, learning, and sight or hearing difficulties. These measures include:

- Translation Service
- Text Phone – a number of staff are trained to use this device
- Communication by text-phone and telephone on a free phone number, and by letter, facsimile, e-mail, and large print
- A website providing information about the range of services provided by the Independent Review Service and about Social Fund law and procedures.
- Large font on the IRS website
- A translation service into different languages, including Braille, for our written communications
- Leaflets in Braille
- Our leaflets have been quality assured and approved by the Plain English Campaign and members of staff receive regular feedback and training around use of plain language
- We asks visitors to the office if they have any special needs or requirements and make any necessary adjustments

To help make the office environment as safe as possible for disabled people we provide the appropriate support and assistance according to individual needs. For example:

- We have made reasonable adjustments for staff when identified by Occupational Health Services or often when requested by themselves. This has included special chairs, specialised IT equipment, and specialised telephone equipment.
- We have made reasonable adjustments to job roles and/or working patterns if our people have particular health difficulties
- Our building includes disabled lifts for evacuation purposes; and we operate a 'buddy system' – whereby nominated members of staff assist those with particular difficulties in evacuating the building
- The IRS offers disabled toilet facilities

To help promote positive images of disabled people, and to foster greater understanding of the issues facing them, we provide training in equal opportunities and diversity for members of staff. All such training is evaluated to ensure it remains effective. We shall continue to develop and deliver training to enhance understanding and awareness of the requirements of the Disability Discrimination Act.

We are in the process of reviewing all of the foregoing areas in light of recent input from staff, external organizations and customers. This work will remain a crucial part of our three year action plan.

Disability Equality Action Plan

As part of this Scheme the Independent Review Service has a three-year action plan (see Appendix A) in which we set out the plans for fulfilling our duties under the Disability Discrimination Act. The action plan sets out the key tasks, responsibilities, and internal accountability processes. We will account to the public for progress in the implementation of the plan on an annual basis, on our website, and where appropriate in the Annual report.

Comments on the Scheme

We welcome comments on our Disability Equality Scheme from service users, members of staff, and other interested parties. We would particularly welcome feedback and ideas from people with disabilities. The Scheme will be reviewed in the light of any comments received. Comments may be directed to:

The Office Manager
Independent Review Service
4th Floor
Centre City Podium
5 Hill Street
Birmingham
B5 4UB

Facsimile: 0121 606 2180
e-mail: pga@irs-review.org.uk

APPENDIX A

Disability Equality Action Plan 2006-2009

1. Putting the Disability Equality Scheme into practice			
Purpose: To ensure compliance with our general and specific duties under the Disability Discrimination Act			
Key Task	Responsibility	Timescale	Accountability
Publish the Disability Equality Scheme by the required date	Senior Manager Human Resources Manager	Publish Scheme no later than 4 December 2006	Social Fund Commissioner's Annual Report Management Team Reports
Report annually	Senior Manager Human Resources Manager	By 31 March 2007 and annually thereafter	Disability Equality Scheme Reports Management Team Reports
Within three years, review and make any appropriate revisions to the Scheme	Senior Manager Human Resources Manager	By 3 December 2009	Disability Equality Scheme Reports Management Team Reports
Publish the results of any assessments or consultations	Senior Manager Human Resources Manager	Ongoing from June 2006	Disability Equality Scheme Reports Management Team Reports
Raise awareness of Disability Equality Scheme and relevant legislation	Senior Manager Human Resources Manager Business Team	Ongoing from June 2006	Disability Equality Scheme Reports Management Team Reports

2. Working in partnership with disabled people

Purpose: To enable disabled people's active participation in our duty to promote equality of opportunity for all, including the development of the Disability Equality Scheme

Key Task	Responsibility	Timescale	Accountability
Consult with and actively involve disabled people and people acting on their behalf on issues affecting them	Senior Manager Human Resources Manager	Ongoing from June 2006	Social Fund Commissioner's Annual Report Disability Equality Scheme reports and reviews Management Team Reports
Develop stronger links with individuals and organizations to help us comply with our duties under the Disability Discrimination Act	Office Manager Training Manager Human Resources Manager Business Team Manager	Ongoing from June 2006	Social Fund Commissioner's Annual Report Disability Equality Scheme reports and reviews Management Team Reports
Analyse any feedback to distil priorities for action	Senior Manager Human Resources Manager Research and Development Team	Ongoing from June 2006	Disability Equality Scheme reports and reviews Management Team Reports
Arrange relevant forums such as training or awareness sessions	Senior Manager Human Resources Manager Training Manager Business Team	Ongoing	Social Fund Commissioner's Annual Report Disability Equality Scheme reports and reviews Management Team Reports

3. Promoting Disability Equality

Purpose: To ensure compliance with our duty to promote equality of opportunity for all by ensuring that disability equality is mainstreamed into our policies and business functions (this overarching objective also encompasses all key tasks from objectives 1 and 2).

Key Task	Responsibility	Timescale	Accountability
Monitor the Impact of policies on the promotion of Disability Equality	Senior Manager Human Resources Manager	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Continue to seek a diverse workforce reflecting the general population, including people with disabilities	Senior Manager Human Resources Manager	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Monitor employment, recruitment and promotion in terms of diversity	Senior Manager Human Resources Manager	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Review recruitment procedures to ensure that we encourage applications from a broad range of the population	Senior Manager Human Resources Manager	Within 6 months of any recruitment or promotion exercise	Disability Equality Scheme reports and reviews Management Team Reports

Provide the appropriate support and assistance for disabled people according to their individual needs	Human Resources All Managers	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Remove potential barriers to accessibility - particularly in relation to accessing the social fund, our full range of services and information	Senior Manager Human Resources Manager Business Team Customer Service Team	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Make the environment as safe as possible for disabled people	Senior Manager Human Resources Manager	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Arrange for training and awareness sessions on specific issues relating to disability	Senior Manager Training Manager Human Resources Manager	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports
Challenge any discriminating behaviour against, or harassment of, disabled people	Human Resources All Managers	Ongoing	Disability Equality Scheme reports and reviews Management Team Reports

APPENDIX B

Disability under the Disability Discrimination Act (DDA)

The Disability Discrimination Act defines disability 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'.

Nature 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. Examples of an impairment having a 'substantial adverse effect' might include one or more of the following:

- persistent inability to remember the names of familiar people such as family or friends;
- difficulty in going up or down stairs or steps;
- inability to use one or more forms of public transport;
- inability to handle a knife and fork at the same time;
- inability to ask specific questions to clarify instructions;
- inability to write a cheque without assistance;
- inability to hold a normal conversation with someone talking in a normal voice in a moderately noisy environment;
- inability to read ordinary newsprint.

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

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

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.

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.

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
 - tendency to set fires.
 - tendency to steal.
 - tendency to physical or sexual abuse of others.
 - exhibitionism
 - voyeurism
-