

**CANNOCK CHASE COUNCIL**

**SOCIAL INCLUSION AND HOUSING SELECT COMMITTEE**

**8 SEPTEMBER 2006**

**REPORT OF SOCIAL INCLUSION AND HOUSING SELECT COMMITTEE**

**EQUALITY OF ACCESS FOR PEOPLE WITH DISABILITIES**

**PORTFOLIO LEADER: SOCIAL INCLUSION AND HOUSING**

**1. Purpose of Report**

- 1.1 To outline the findings and recommendations of the Select Committee's review of equality of access for people with disabilities.

**2. Recommendations**

- 2.1 The Council develops a Disability Equality Scheme in line with legislation and actively encourages and involves disabled people in developing the Scheme. That the Council continues to work with the County Council to share ideas, expertise and establish common ground on which to base recommendations to be put forward for inclusion in our respective Disability Equality Schemes.
- 2.2 The Council's budget provision for disabled grants adaptations continue to be provided for 2008-2009 at the same level of service as is currently provided and if possible every effort be made to increase this resource to meet local needs.
- 2.3 The County Council be lobbied to ensure that disabled facilities grant assessments are resourced to enable assessments to be completed within agreed timescales.
- 2.4 The Council develops a comprehensive database of adaptations made to Council property and reviews the Allocation Policy to improve the reallocation of properties with adaptations to those tenants requiring adaptations.
- 2.5 The Council encourage developers to build new residential properties to the Life Time Homes standard through local planning policy and building control processes.
- 2.6 The introduction of a Shopmobility facility in the District's three main town centres be investigated proactively. Cabinet to first consider the viability of a Shopmobility scheme in Beecroft Road car park and the inclusion of Shopmobility schemes in Hednesford and Rugeley be considered as a matter of urgency as part of the regeneration proposals for these town centres.
- 2.7 The Council works with the town centre manager and other partners from the private and business sectors to raise awareness of their responsibilities with regards to the DDA and investigate ways of sharing good practice around access issues and in particular looks at the possibility of developing an effective monitoring system. The town centre manager to investigate the possibility of establishing an accreditation/merit scheme or the like for businesses that demonstrate high standards of accessibility for the disabled.

- 2.8 An Access Group is set up to be consulted on service provision and developments as well as planning and building access issues.
- 2.9 The Council continues to work with the County Council in particular to improve the provision of disabled parking in the town centres and to determine how to deter those that park in disabled parking spaces.
- 2.10 The Council continues to provide training to employees on customer care for people with disabilities and reviews the effectiveness of such training in the near future.

### **3. Key Issues**

- 3.1 During the review, discussions around the topic of equality of access for people with disabilities gave rise to a number of key issues, which the Select Committee was keen to pursue. In particular, the review highlighted a number of issues in connection with the administration of DFGs, including:
  - a There was concern over the length of time people had to wait for adaptations to their property.
  - b There is no Council budget provision for disabled adaptations to homeowners from 2008-09 onwards, although 60% is reclaimed in grant from the Government. The current budget for 2006-07 is £350,000 with an additional £130,000 rolled forward from 2005-06. The Council's contribution to disabled adaptations to homeowners in 2006-07 is £140,000.
  - c The Council's information on what adaptations had been made to Council housing property was limited.
  - d The Council's policy on allocations of property with adaptations is limiting in its success to reallocating property with adaptations to people requiring adaptations.
- 3.2 With regards to disabled parking provision the Select Committee identified that there needs to be better signage about parking provision and that there is a need to deter those that park in disabled parking provision when they themselves are not disabled. The Select Committee recognized that the practices used by Asda should set the benchmark for disabled parking within the District.
- 3.3 The Select Committee was keen to see parking enforcement strengthened, but recognised that it is reliant on the County Council's progress with regards to decriminalised parking.
- 3.4 The review highlighted that people with disabilities want to be able to shop locally, but we do not provide services to support this. It was highlighted that the work currently underway looking at the regeneration of town centres must look to include a shop mobility schemes as a matter of urgency.
- 3.5 The review highlighted that there is also a need to raise awareness amongst stores that although they may comply with the legislation they are not always easily accessible to people in a wheelchair and little provision appears to have been made for partially sighted residents. The

review recognised the good practice in Asda and highlighted a need to raise awareness amongst other stores.

- 3.6 During the course of the review it had been difficult to seek the views of people within the District who had disabilities and although Cannock Chase Access Group is involved in looking at planning applications there is a need to engage more widely with disabled people to look at access issues.

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**Section 1**

**Background**

There are 10 million disabled adults in Britain covered by the Disability Discrimination Act. The Select Committee recognised that there is a range of disabilities and people with disabilities face different barriers in employment and in accessing goods and services. The Select Committee therefore agreed to review access issues for people with disabilities within the District.

**Section 2**

**Details of Matters to be Considered**

In determining the scope of the review it was agreed that the following topics should be included:

- a Access to public buildings
- b Communication
- c Access to information
- d Awareness campaigns
- e Disabled parking provision
- f Responsibilities of local employers
- g Disabled Facilities Grants (known as DFGs)

**Section 3**

**Contribution to CHASE**

This review was undertaken to consider the Council's contribution to the objective of Social Inclusion, by considering the access issues for people with disabilities

**Section 4**

**Section 17 Implications**

Section 17 requires the Council to consider the impact of its proposals on crime prevention and there are no identified implications arising from this report.

**Section 5**

**Human Rights Act Implications**

There are no identified implications in respect of the Human Rights Act 1998 arising from this report. Art.14 of the Human Rights Act states that the enjoyment of the rights and freedoms [under this Article] shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Whilst disability has not been included in the list specifically, the list mentioned is only an example of the types of discrimination excluded. The list is not an exhaustive list.

**Section 6**

**Data Protection Act Implications**

There are no identified implications in respect of the Data Protection Act.

**Section 7**

**Risk Management Implications**

There are no identified implications arising from this report.

**Section 8**

**Legal Implications**

The legal implications have been set out throughout this Report (in particular Paragraph 5 of Annex 1).

The Act prohibits discrimination against disabled people in a range of circumstances, such as employment and occupation, education, transport, and the provision of goods, facilities, services, premises and the exercise of public functions.

Failing to comply with the requirement of the Act will inevitably give rise to potential litigation being commenced against the Council. The Council, like many other bodies, businesses and companies must now discharge the duty placed upon them by the Act. The Council is not likely to be given much sympathy by the any Court or Tribunal if found to have contravened the Act.

A brief overview of the Act is provided below.

<b>DDA Section</b>	<b>Matter</b>	<b>Brief Summary</b>
Part 1	Definition of disability	Provides information and guidance on what constitutes disability for the purposes of the Act, and who is protected under it.
Part 2	Employment	Prohibits discrimination in relation to employment of disabled people, including recruitment, training, promotion, benefits, dismissal, etc.

DDA Section	Matter	Brief Summary
Part 3	Provision of goods, facilities and services.	Employers are required to make “reasonable adjustments” for a disabled person put at a substantial disadvantage by a provision, criterion or practice, or a physical feature of premises.
	Disposal or management of premises or land	Trade organisations and qualifications bodies cannot discriminate
	Private clubs	There are new procedures for enforcement and provision of remedies for discrimination.
Part 4	Education	It requires service providers to make “reasonable adjustments” for disabled people. A service provider is required to take reasonable steps to: <ul data-bbox="627 813 1402 1016" style="list-style-type: none"> <li>• change a practice, policy or procedure which makes it impossible or unreasonably difficult for disabled people to make use of its services</li> <li>• provide an auxiliary aid or service if it would enable (or make it easier for) disabled people to make use of its services</li> </ul>
		In addition, where a physical feature makes it impossible or unreasonably difficult for disabled people to make use of services, a service provider has to take reasonable steps to: <ul data-bbox="627 1164 1402 1417" style="list-style-type: none"> <li>• remove the feature; or</li> <li>• alter it so that it no longer has that effect; or</li> <li>• provide a reasonable means of avoiding it</li> <li>• provide a reasonable alternative method of making the service available</li> </ul>
		It prohibits discrimination by private clubs.
		Provides procedures for enforcement and provision of remedies for discrimination.
		Amended by the Special Educational Needs and Disability Act 2001, part 4 prohibits discrimination in relation to: <ul data-bbox="627 1706 1337 1872" style="list-style-type: none"> <li>• school admissions, exclusions, and the education or associated services provided to pupils</li> <li>• further and higher education admissions, exclusions, and student services</li> </ul>
		Responsible bodies for schools and further and higher education institutions must make reasonable adjustments to ensure that disabled pupils or students (or prospective pupils or students) are not placed at

DDA Section	Matter	Brief Summary
		<p>a substantial disadvantage in comparison with their non-disabled peers.</p> <p>Responsible bodies for further and higher education are also required to provide auxiliary aids or services and have a duty to make adjustments to physical features.</p> <p>Provides procedures for enforcement and provision of remedies for discrimination.</p> <p>Provides the Secretary of State with powers to establish minimum access criteria for public transport vehicles to be phased in over time.</p>
Part 5	Transport	The use of transport is excluded from the requirements of Part 3 of the Act – but other facilities offered by transport providers are not e.g. public areas at stations and booking facilities.
Part 6	National Disability Council	The National Disability Council was set up to advise the Government on Parts 2 and 3 of the DDA. It was abolished when the Disability Rights Commission came into operation in April 2000.
Part 7	Supplementary issues	<p>Details duties and responsibilities covering:</p> <ul style="list-style-type: none"> <li>• Codes of Practice</li> <li>• Victimisation</li> <li>• Liability of employers</li> <li>• Help for people suffering discrimination</li> <li>• Aiding unlawful acts</li> <li>• Exclusion for acts done with statutory authority or done for the purpose of safeguarding national security.</li> </ul>
Part 8	Miscellaneous	Other issues, including government appointments, regulations and interpretation.
Schedules 1-8		Assorted schedules containing, among other things, provisions relating to the meaning of disability (Schedule 1); relevance of past disabilities (Schedule 2); and listing of responsible bodies for schools and educational institutions (Schedules 4A and 4B).

**Section 9**

**Financial Implications**

Para 3.1 a, of this report highlights the problem of no Council budget for disabled adaptations to homeowners from 2008-09 onwards. This issue is currently being addressed and a report will be submitted to Council on 27<sup>th</sup> September 2006.

In respect of the introduction of Shopmobility Schemes within the District, as referred to in para 2.6, further reports will be presented once detailed investigation work and possible sources of funding have been considered. These reports will include detailed financial implications.

In respect of the costs of training, as referred to in para 2.10, the Council continues to provide training to employees on customer care for people with disabilities, the costs of which are met from existing budgets. Should it become apparent that these budgets are insufficient to meet future training requirements, then consideration will need to be given to requesting the use of the Council's Central Training Provision.

**Section 10**

**Resource Implications**

The main implication from a Human Resource point of view will be the need for training for all employees involved in implementing the recommendations arising from the report, for all employees involved in customer contact and for all managers. This will need to include training on the legislative responsibilities as specified in the Disability Discrimination Acts but will also require input into good practice and personal attitudes and beliefs regarding disability.

It is not clear whether any specific corporate funding will be made available for such training and development but this may be something to consider.

**Section 11**

**Conclusions**

That the recommendations at point 2 be approved.

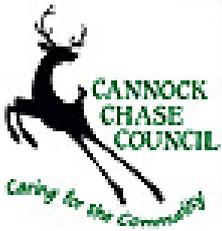
**Section 12**

**Background Papers**

There are no background papers.

**Annexes**

Annex 1 – Review Report



Annex 1

# Equality of access for people with disabilities

## Report of the Social Inclusion & Housing Select Committee June 2006

## Foreword

In determining the review topic for the Social Inclusion and Housing Select Committee, members were unanimous in their view to look at access issues for people with disabilities. The initial scoping of the review highlighted that this would be a wide ranging review and would need to cover issues such as access to information, service provision both those provided by the Council and those provided by local businesses, Disabled Facilities Grants for both Council tenants and homeowners.

Due to the complex and diverse nature of the subject matter this has been a particularly challenging topic for the members of the Social Inclusion and Housing Select Committee to consider, however, everyone involved has worked extremely hard throughout the review period in order to arrive at the conclusions contained within this report.

I sincerely believe that as a group we have investigated a wide range of issues in relation to equality of access for people with disabilities and, as a result of our endeavours have produced a realistically achievable and financially viable set of recommendations for Council to consider. Our recommendations reflect the breadth of this review and cover issues, which the Select Committee identified as important, such as the importance of a disabilities policy for the authority, the lack of effective engagement with people with disabilities and the benefits of a shop mobility scheme. If implemented we believe these recommendations can only have a positive effect on the daily lives of those individuals who fall within the scope of this review, by setting in motion the removal of some of the access barriers which currently socially exclude them from participating in a full and fulfilling range of activities, which the majority of us take for granted.

Finally I would like to state that it has been a great pleasure to have chaired and worked alongside the members of the select committee concerned. I would therefore like to take this opportunity to thank everyone that participated in this review, without whose contributions to the debate it simply would not have been possible to undertake such a comprehensive, thought provoking and policy driven review

Cllr Chris Collis  
Chairman 2005-06

**1. Purpose of Report**

- 1.1 To outline the findings and recommendations of the Select Committee's review of equality of access for people with disabilities within the Cannock Chase District.

**2. Terms of Reference**

- 2.1 The Social Inclusion and Housing Select Committee agreed to undertake a review into disabled access in the area. It was agreed that the scope of the review should give consideration to the following issues:

- a Home Improvement Agency
- b Access to public buildings
- c Access to private areas
- d Open spaces
- e Transport
- f Communication

- 2.2 Over the course of the review the scope was extended to include:

- a Access to information
- b Awareness campaigns
- c Disabled parking provision
- d Responsibilities of local employers
- e Disabled Facilities Grants (known as DFGs)

- 2.3 It was hoped that with this selection of topics the Select Committee would be best placed to produce a timely and in-depth review, which would give rise to realistic and achievable recommendations that would improve equality of access within Cannock Chase District.

**3. Methodology**

- 3.1 To undertake this review, the Select Committee identified the key partners working in this arena, whether as providers of services and support for people with disabilities or as points of referral and entry to the referral and service provision system. The Select Committee also considered documents on good practice and other publications relevant to the scope of the review.

- 3.2 The partners and service providers invited to meetings of the Select Committee included:

- a Marek Frank, Cannock Chase Council's Access Officer

- b Christine Graham, Disability Resources Team Manager, Adults & Social Care, Staffordshire County Council
- c Bob Flack, Town Centre Manager
- d June Smythe, Asda

3.3 The Select Committee received these attendees and questioned them to illuminate the key issues and topics being examined. The evidence received was very informative and of great assistance to the creation of recommendations.

3.4 Upon consideration of the evidence received from the above attendees and from publications and documents received, the Select Committee identified several key issues that need to be addressed, and made recommendations so as to tackle these issues, endeavouring to improve the current situation of access for people with disabilities within the District.

#### **4. Background**

4.1 The number of people who are disabled within Britain is unclear. The Disability Rights Commission's statistics indicate that 14% of the country's population are disabled and this figure is determined from the Family Resources Survey (FRS), published by the Department for Work and Pensions (DWP).

4.2 Within Cannock Chase District, as at January 2005, there are around 4,000 Registered Disabled Persons, representing 4% of the population and the largest proportion of Disabled persons across Staffordshire. For Staffordshire (excluding Stoke-on-Trent) an average 3% of the population are Registered Disabled. The majority, 76% of Registered Disabled persons in Cannock Chase (3,069 persons) are aged 60+; this represents 17% of the population aged 60 and over. 22% (880 persons) of Registered Disabled persons are aged 16-59 years and 2% (73 persons) are aged under-16 years.

4.3 The majority of the registrations (3,005) in Cannock Chase, and indeed across Staffordshire are in respect of physical disabilities. The District's physical disability registrations represent 75% of all registrations, 73% across Staffordshire. 2% (51 persons) of physically handicapped registrations are aged under-16 years and 22% (670 persons) are aged 16 to 59 years. The bulk of Registrations (2,284 persons), 76% are concentrated within the 60+ age group and have a physical disability. Moreover, just over half (56%) the District's Registered Disabled persons are aged 60+ and have a physical disability.

4.4 The District has 168 Deaf and 329 Hard of Hearing Registrations representing 12% of total registrations. Deaf and hard of hearing registrations for the under 16s are low with just 12 persons. 35% of deaf registrations and 13% of hard of hearing registrations relate to the age group 16-59 years. Again the majority of registrations fall within the aged 60+ age group, 61% of deaf registrations and 85% of hard of hearing registrations relate to this age group.

4.5 There are 257 Registered Blind and 263 Registered Partially Sighted persons representing 6% and 7% respectively of the total number of disabled registrations. Registrations for under-16s are small with just 10 persons. For the 16-59 years age group, there are 57 registered blind

persons representing 22% of all blind registrations and 52 partially sighted, representative of 20% of partially sighted registrations. The majority of Blind and Partially Sighted registrations rest within the aged 60+ age group; 75% of blind registrations and 79% of partially sighted registrations.

- 4.6 The Annual Population Survey (Apr '04-Mar '05) presents a slightly different picture, in that Cannock Chase has 11,800 Registered Disabled people of working-age which represents 20% of the resident working-age population. Comparative data is as follows: 21% for Staffordshire, 20% for West Midlands Region and GB with 19%. Cannock Chase has the 4th highest proportion of working -age disabled persons in Staffordshire, East Staffordshire shows the greatest proportion with 26%. Moreover, the District ranks 11th (within the worst third) of local authorities which show the greatest proportions of working-age disabled persons in the West Midlands Region.
- 4.7 The review recognised that the number of registered disabled within the District does not accurately reflect all of those who are actually disabled living within Cannock Chase and it was acknowledged that the actual number was likely to be significantly higher than that presented due to hidden and non-registered impairments.
- 4.3 The Select Committee acknowledged that there is a range of disabilities within the District and that people with disabilities face different barriers in employment and in accessing goods and services. The Select Committee agreed that all disabilities, including sight and hearing, were as important to look at as part of the review.

## **5. Disability Discrimination Act**

- 5.1 The Disability Discrimination Act 1995 (DDA) introduced new laws aimed at ending the discrimination that many disabled people face. It affects virtually everyone who provides goods, facilities and services to the general public whether paid for or not.
- 5.2 The DDA defines disability, and identifies who is protected under it. The definition is broad: “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”.
- 5.3 The Disability Discrimination Act protects disabled people against discrimination by employers, service providers and a number of other bodies. Since December 1996, it has been unlawful for service providers to refuse to serve a disabled person, offer a lower standard of service or provide a service on worse terms to a disabled person for a reason related to his or her disability. Since 1 October 1999 service providers have had to make ‘reasonable adjustments’ for disabled persons, such as giving extra help or changing the way they provide their services and since 1 October 2004 service providers may have to make other ‘reasonable adjustments’ to their premises so that there are no physical barriers stopping or making it unreasonably difficult for disabled persons using the services.
- 5.4 The Disability Discrimination Act 2005 (DDA 2005) builds on and extends earlier disability discrimination legislation, principally the Disability Discrimination Act 1995. The DDA 2005 extends coverage of the DDA in the following ways:
- a It removes the requirement in the DDA that a mental illness must be 'clinically well recognised' before it can count as an impairment for the purposes of the DDA. The

Government has decided that this stipulation is no longer required. People with a mental illness will still need to show that their impairment has a long term and substantial adverse effect on their ability to carry out normal day-to-day activities. By removing the 'clinically well-recognised' requirement, the Government has also brought DDA coverage for people with mental illnesses into line with coverage for all other mental and physical impairments.

- b People with HIV, cancer and multiple sclerosis (MS) will be deemed to be covered by the DDA effectively from the point of diagnosis, rather than from the point when the condition has some adverse effect on their ability to carry out normal day-to-day activities. Extending the coverage of the DDA in this way will mean that the protection of the DDA will be afforded to another 250,000 disabled consumers.

5.5 The DDA 2005 also introduces a duty on all public bodies to promote equality of opportunity for disabled people. This means that they must take account of the needs of disabled people as an integral part of their policies, practices and procedures, and not as something separate or as a tag-on. They have to have due regard to the need to:

- a eliminate unlawful discrimination and disability-related harassment;
- b promote equality of opportunity and positive attitudes to disabled people; and
- c encourage disabled people to participate in public life.

5.6 These duties apply to anyone carrying out functions of a public nature.

5.7 Public bodies, such as Government departments, local councils, and the police are currently covered by the DDA whenever they provide a service to the public (for example, a library or a sports centre) or in their capacity as an employer. But they are not currently covered whenever they carry out a function of government, such as assessing a benefit claim, issuing a licence, or carrying out an arrest. The DDA 2005 extends, as from 4 December 2006, the DDA to cover discrimination by public bodies when carrying out a function. This means that functions of government will be covered. This means that, when carrying out their functions, public bodies:

- a will not be able to treat disabled people less favourably, which means that they will not be able to treat a disabled person differently simply because they have a disability; for example, a local council will not be able to refuse a trader's licence to a disabled person for a reason related to their disability ; and
- b will have to make reasonable adjustments for disabled people.

5.8 This provision is similar to the duty to make reasonable adjustments that already exists for service providers and employers.

### **Reasonable Adjustment**

5.9 Since October 1999, service providers have had to make reasonable adjustments for disabled people in the way they provide their services and from October 2004 service providers have had to make reasonable adjustments in relation to physical features of their premises to overcome physical barriers to access.

- 5.10 It is unlawful to treat a disabled person less favourably in the exercise of a public function and there is an anticipatory duty of reasonable adjustment on public authorities. Reasonable adjustment requires the avoidance of disabled people suffering less favourable treatment for reasons related to their disability, by taking positive action to address the difficulties or barriers they face.
- 5.11 The Act requires service providers to anticipate some of the needs of disabled people and this is now closely replicated for public functions. Public authorities are required to carry out functions in a way that avoids outcomes that are very much less favourable for disabled people as a result of their disability.
- 5.12 In some cases, a reasonable adjustment may simply require a function to be delivered in a different way, for example by;
- a Making a home visit
  - b Making an application form available in large print
  - c Giving help in filling in an application form
  - d Providing a reply to correspondence in large print or in Braille or on an audio cassette

**Duty to Promote Equality**

- 5.13 The Act also introduces a positive, statutory duty on public authorities to promote equality of opportunity for disabled people. Many public bodies, including Government departments and local councils, will be subject to specific duties, which will include having to produce a Disability Equality Scheme explaining how they intend to fulfil the duty to promote equality. This will mean that public bodies will have to think through the implications of the duty, and gather appropriate evidence to demonstrate the effectiveness of their schemes. They will also need to demonstrate that disabled people have been involved at the centre of planning their policies.
- 5.14 Compliance with these specific duties can be enforced by the Disability Rights Commission. If the DRC felt that a public body was failing to comply with one of these specific duties, it would be able to issue a compliance notice, followed by an application to a County Court for an order requiring the body to comply.
- 5.15 Disability Equality Schemes will need to state how bodies:
- a Have involved disabled people in developing the Scheme
  - b Will assess the impact of their activities on equality for disabled people
  - c Will improve outcomes for disabled people
  - d Will monitor whether outcomes are improving for disabled people; and
  - e Will use the results of their monitoring

**5.16 Local Councillors**

5.17 The DDA 2005 also inserts a section into the DDA which makes it unlawful for a local authority (which includes the Greater London Authority) to discriminate against its disabled members when they are carrying out their official business. This new provision gives disabled local councillors similar rights not to be discriminated against for a reason related to their disability, and to have reasonable adjustments made for them, as do other disabled people who are covered by those parts of the DDA relating to employment - even though councillors are not employees of local authorities.

**6. Disabled Facilities Grants - The National Picture**

6.1 Disabled Facilities Grants (known as DFGs) were introduced in 1990. They are administered by Local Authorities with housing responsibilities, in close co-operation with Social Service Departments.

6.2 DFGs are mandatory grants for essential adaptations for disabled people to give them better freedom of movement into and around their home, to enable them to access essential facilities within it and promote independence.

6.3 The maximum mandatory DFG that can be paid is £25,000 per application. To ensure that the DFG goes to the most vulnerable people, the client is assessed by an Occupational Therapist for the level of priority and the amount of grant is means tested. In some cases, a contribution will be required towards the cost of the adaptation works. Where children under the age of 19 are the beneficiary of the DFG works there is no means test.

6.4 The Council must give a decision in writing within 6 months of receipt of a completed valid application and of any additional information required.

6.5 Grant will only be paid when the Council, Occupational Therapist and the client are satisfied that the work has been completed satisfactorily and in accordance with the grant approval.

6.6 Each Local Authority with a duty to provide DFGs receives an annual ring-fenced allocation from Government covering 60% of the cost of the spend on DFGs to homeowners. The remaining 40% being found from Council resources.

6.7 During 2003-04 housing authorities throughout the country awarded over 37,000 DFGs to disabled people to a total value of £202 million. The ring-fenced budget of the DFG is only part of the system for funding adaptations. During 2003-04 19% of adaptations were wholly funded from this source. Social Services and social landlords between them fund most adaptations under £1,000.

6.8 Council housing departments fund all major adaptations to their stock from their own resources and receive no contribution from Government.

6.9 There are a number of problems with the current DFG system, including:

- a Some people who are just above the means test but in great need lose out on being eligible for a DFG. This can include families with disabled children and adults of working age.

- b The maximum grant limit is not sufficient to provide an extension.
- c The needs of disabled children and their siblings are not covered with enough clarity.
- d In 2003-04 47% of all housing authorities had insufficient capital to meet valid DFG applications.
- e In some areas there is a shortage of Occupational Therapists to carry out assessments and delays may be caused by the wait for their assessments.
- f There are inequalities between tenures. Private tenants are in a weak position, tenants of Housing Associations suffer from divided responsibility and Council tenants cannot share in the DFG ring-fenced allocation.
- g Information to service users and potential service users is mostly extremely poor, for fear of discovering need that cannot be met.
- h The effectiveness of Home Improvement Agencies who are involved in delivering nearly half of DFGs is continually threatened by uncertainty about core funding and the squeeze on fee income.

## **7. What we are doing within Cannock Chase**

### **Adaptations for People with Disabilities**

- 7.1 Staffordshire County Council's Cannock Disability Services is responsible for undertaking assessments of people to determine their equipment and adaptation needs within their homes. The aim of providing such adaptations and equipment is to enable people to remain living in their own homes and retain their independence. However, the Occupational Therapist could recommend that the person requires alternative accommodation should it be unviable or too costly to adapt their current home.
- 7.2 In the last year there had been 1,087 referrals to the service, with 1,287 cases allocated. The current number of cases being dealt with by the team at the time of this review was 327. There is currently a waiting list of xxx applications and the average waiting time for DFGs is xxx.
- 7.3 The base budget available for DFGs in the private sector is £350,000 in 2006/07 and 2007/08. However, the Council has not budgeted for expenditure beyond 2008, requiring this to be the subject for a report to Council.
- 7.4 It was acknowledged that there are waiting times for undertaking assessments due to the high workload and limited resources available to undertake the assessments.
- 7.5 For small items social services have a budget e.g., flashing doorbells, chairs for showers and there are also a number of minor adaptations that can be undertaken within the Adult & Social Care Department.

### **Disabled Facilities Adaptations in Council Housing**

- 7.6 Once a Council tenant has been assessed by Adult & Social Care to determine their equipment and adaptation needs, the tenant is referred to the Council for the works to be undertaken. The budget for undertaking DFGs in Council housing is £318,000 for 2006-07 and there is currently a waiting list of 110 applications.
- 7.7 Works are allocated on a priority basis, which is determined by Adult & Social Care. Points are allocated on the basis of need e.g., ability to access the property is given a high priority.
- 7.8 There is no means testing undertaken for Council tenants to determine whether or not a financial contribution is required. Past experience has highlighted that, in general, Council tenants were required to make a no financial contribution towards the adaptations and the cost of undertaking a financial assessment were subtracted from the money available to undertake adaptations.

### **Housing Allocations**

- 7.9 The Select Committee was informed that current practice with regards to vacant properties with adaptations was to attempt to identify a suitable person on the Housing Register who required those adaptations. Adult & Social Care would also be contacted to determine whether there was a person suitable to occupy the property. The property would be placed outside of the normal Allocations Procedures.
- 7.10 However, if no suitable person could be found to allocate the property to, the property would then be brought back within the Allocations Policy. Wherever possible the property would be let with the adaptations still in place and if they had to be removed every attempt would be made to store the adaptations for future use. In most cases, it was pointed out, that the equipment was removed from the property.
- 7.11 Under the Council's Allocations Policy, an adapted bungalow would only be allocated to a person who was found to be suitable for the property and equipment would not be removed from a bungalow.
- 7.12 With regards to disabled ramps, the Council is now fitting plastic disabled ramps, which can be removed and re-cycled. It was also highlighted that showers are not removed from properties and if tenants choose to have a bath, the tenant would have to pay for this themselves.

### **Disabled Facilities Grants to Homeowners**

- 7.13 The Strategic Housing section receives referrals from Adults & Social Care on behalf of the client for adaptations to private homes. The Council undertakes a preliminary means test with the client to determine whether any contribution towards the cost of adaptations would be required from the client.
- 7.14 Walbrook Care & Repair is contracted to tender and oversee the adaptation works on behalf of the Council. This includes drawing up a scheme of works for the client, which is approved by both the Council and Adults & Social Care, to ensure it meets the needs of the client.

- 7.15 An application is then submitted to the Council, which includes plans for planning and building regulations approval as necessary, and details of the clients' income to enable a means test to be carried out in order to approve the DFG.
- 7.16 Once approval has been given, Walbrook then instruct their contractors to undertake the required adaptations. The Council approves the completed works before the grant is paid.
- 7.17 As outlined above, the maximum mandatory DFG that can be paid is £25,000 per application and the Council receives a 60% financial contribution from the Government towards mandatory DFGs, the remainder being funded by Cannock Chase Council.

### **Access Issues in and around Council Buildings**

- 7.18 Over the past few years, the Council has implemented a programme of adaptations to Council buildings to improve access for people with disabilities based on the information arising from the completion of Access Audits for Council buildings. These audits have taken into account the needs of a range of disabled people and have identified the physical features that may make it difficult to use the service. As a result reasonable adjustments have been made to create an accessible and inclusive environment in which disabled people have equal, easy and dignified access to the buildings.
- 7.19 As disabled people are not a homogenous group with identical needs, the principles of inclusive design have been applied to avoid many potential conflicts to make the Council buildings accessible to all. The improvements include works to:
- a Car parking
  - b External access; steps, ramps, kerbs etc.
  - c Entrances
  - d Reception and waiting areas
  - e Internal access: ground floor and relevant floors
  - f Vertical access: stairs, lifts
  - g Signage
  - h Colour and tonal contrast
  - i Lighting
  - j Auxiliary aids
  - k Sanitary conveniences
  - l Means of escape
  - m Building management
  - n Staff training/awareness

7.20 The Chase Sportability Development Group (raising the profile of disability sport in the District) has worked with Rugeley Leisure Centre to make improvements in the design for access for disabled customers for example, the reception area was lowered.

7.21 The Council's performance for accessibility of Council buildings is monitored by a Best Value Performance Indicator, and the Council's performance has placed the Council in the top 25% of authorities within England consistently for the past few years.

**7.22 Reasonable Adjustment in Council services**

7.23 The review highlighted that the Council has been positive in its approach to reasonable adjustment in Council services. For example:

- a The Council's website has a 'browse aloud' facility that 'reads out' the web-page content.
- b A refuse collection "pull out" service is available for all refuse containers:- green & brown wheelie bins, blue recycling boxes and paper bags. This also includes returning the containers back to the position on the resident's property.
- c Some disabled and ill residents require larger bins for medical waste and all applicants are required to provide written medical evidence, then the green wheelie bin. This may also include a "pull out" service.
- d Cannock Chase Council Arts development have worked with Spring Meadow Mental Health rehabilitation centre to set up a 'stepping stone' provision for service users to assist their recovery, to address barriers to access.
- e Disabled groups or individuals with learning difficulties are offered special support in writing funding applications to access lottery funding, write documents to enter art exhibitions etc and even job applications involving the arts.
- f Home visits are made to residents in the District should they be unable to access Council offices for completing applications for benefit claims. Where the resident has a disability or learning difficulty the claim is marked accordingly to ensure that the Council's response meets the needs of that resident.
- g Where a polling station poses access difficulties the polling box can be brought outside to the person and the postal voting system improves access for people with disabilities.
- h All our documents and letters can be made available in large print if requested.

**Access Issues in local shops**

7.24 The Select Committee considered the access issues in local shops. It was estimated that approximately 80% of shops in Cannock town centre were access-friendly for people with disabilities.

7.25 It was highlighted that in a number of shops aisles were not wide enough to enable access for people in wheelchairs or scooters.

- 7.26 The Select Committee acknowledged that Asda was an exemplar of good practice with regards to equality issues. The organisation has acknowledged that when looking at facilities within the store it is equally important to look at the needs of people who work within the store as well as customers.
- 7.27 The company undertook training programmes on its legal obligations and believes it is important that the first people a customer comes into contact with is able to answer any questions about how easy it is to shop in the store.
- 7.28 There are a number of facilities within the store to assist people with disabilities including, scooters, wider aisles, wide checkout with a lowered belt, disabled toilets, tactile surfaces in the car park and a facility for assisted shopping. A Braille gun is available for labelling items for people with visual impairments and grabbers can be used by people with arthritic hands to assist in selecting items. Within the restaurant special knives and forks are also available.
- 7.29 There is a selection of adapted trolleys, including ones with a seat on, ones to which a wheelchair can be attached, and ones which will seat a disabled child.
- 7.30 In an emergency, there are blue flashing lights which assist deaf people and structure pillars all have coloured banding to assist people with visual impairments.

## **8. Good Practice**

- 8.1 As part of the review, the Select Committee looked at areas of good practice to determine what lessons could be learnt for Cannock Chase Council.
- 8.2 The review highlighted that many Councils have in place a Disability Equality Scheme, which explains how it will make sure that it promotes equality for disabled people and challenges discrimination against them. The aim of an equality scheme should be to facilitate removal of barriers for all disabled people. This includes people who might not automatically identify themselves as disabled people, but who nevertheless face discrimination in their everyday life because of their impairment.
- 8.3 The Greater London Authority's equality scheme aims to address issues for people with physical and sensory impairments, Deaf people, people with learning difficulties, survivors of the mental health system and people who use mental health services, people with hidden impairments and people living with HIV/AIDS.
- 8.4 The scheme addresses priority issues for disabled and deaf Londoners, including:
- a Prioritising and promoting equality
  - b Improving the ability for disabled people to get around the area on an equal basis
  - c Improving access to the built environment
  - d Improving availability of accessible housing
  - e Improving access to employment and education
  - f Improving facilities and services for deaf people

- g Improving access and support to facilitate independent living
- h Improving access to health services.

### **Shopmobility**

- 8.5 Bob Flack, highlighted that a Shopmobility scheme should form an integral part of access to town centres for people with disabilities. Research has highlighted that people with disabilities would like to be able to shop locally however access issues often prevent them from doing so. Research has also highlighted that the average spend per visit to the town centre by a person with a disability is £70.
- 8.6 The Select Committee reviewed the provision of the Shopmobility scheme in Stafford, whereby the local authority had provided the building, rent and rate free, and a number of car park spaces from which scooters are available to people with disabilities. There is no hire charge for the use of the scooters. The scheme is run by a company, which then relies on the sale of disabled aids to generate revenue.

### **9. Key Issues**

- 9.1 During the review, discussions around the topic of equality of access for people with disabilities gave rise to a number of key issues, which the Select Committee was keen to pursue. In particular, the review highlighted a number of issues in connection with the administration of DFGs, including:
  - a There was concern over the length of time people had to wait for adaptations to their property.
  - b There is no Council budget provision for disabled adaptations to homeowners from 2008-09 onwards, although 60% is reclaimed in grant from the Government. The current budget for 2006-07 is £350,000 with an additional £130,000 rolled forward from 2005-06. The Council's contribution to disabled adaptations to homeowners in 2006-07 is £140,000.
  - c The Council's information on what adaptations had been made to Council housing property was limited.
  - d The Council's policy on allocations of property with adaptations is limited in its success to reallocating property with adaptations to people requiring adaptations.
- 9.2 With regards to disabled parking provision the Select Committee identified that there needs to be better signage about parking provision and that there is a need to deter those that park in disabled parking provision when they themselves are not disabled. The Select Committee recognized that the practices used by Asda should set the benchmark for disabled parking within the District.
- 9.3 The Select Committee was keen to see parking enforcement strengthened, but recognised that it is reliant on the County Council's progress with regards to decriminalised parking.
- 9.4 The review highlighted that people with disabilities want to be able to shop locally, but we do not provide services to support this. It was highlighted that the work currently underway looking

at the regeneration of town centres must look to include a shop mobility schemes as a matter of urgency.

- 9.5 The review highlighted that there is also a need to raise awareness amongst stores that although they may comply with the legislation they are not always easily accessible to people in a wheelchair and little provision appears to have been made for partially sighted residents. The review recognised the good practice in Asda and highlighted a need to raise awareness amongst other stores.
- 9.6 During the course of the review it had been difficult to seek the views of people within the District who had disabilities and although Cannock Chase Access Group is involved in looking at planning applications there is a need to engage more widely with disabled people to look at access issues.

## **10. Recommendations**

- 10.1 The Council develops a Disability Equality Scheme in line with legislation and ensures that disabled people are involved in developing the Scheme. That the Council continues to work with the County Council to share ideas, expertise and establish common ground on which to base recommendations to be put forward for inclusion in our respective Disability Equality Schemes.
- 10.2 The Select Committee supports the Council's work in disabled grants adaptations and recommends that budget provision to continue to provide the same level of service is made available from 2008-09. In addition the Select Committee would wish for every effort to be made to increase this resource if at all possible.
- 10.3 To lobby the County Council to ensure that disabled facilities grant assessments are resources to enable assessments to be completed within agreed timescales.
- 10.4 The Council develops a comprehensive database of adaptations made to Council property and reviews the Allocation Policy to improve the reallocation of properties with adaptations to those tenants requiring adaptations.
- 10.5 The Council should encourage developers to build new residential properties to the Life Time Homes standard through local planning policy and building control processes.
- 10.6 The Select Committee recommends that the introduction of a Shopmobility facility in District's three main town centres be investigated proactively. Initially the Select Committee recommends that Cabinet considers the viability of a Shopmobility scheme in Beecroft Road car park and further recommends that the inclusion of Shopmobility schemes in Hednesford and Rugeley be considered as a matter of urgency as part of the regeneration proposals for these town centres.
- 10.7 The Council works with the town centre manager and other partners from the private and business sectors to raise awareness of their responsibilities with regards to the DDA and investigate ways of sharing good practice around access issues and in particular looks at the possibility of developing an effective monitoring system. The Select Committee also recommends that the town centre manager investigates the possibility of establishing a type of accreditation/merit scheme for businesses which demonstrate high standards of accessibility.

- 10.8 An Access Group is set up to be consulted on service provision and developments as well as planning and building access issues.
- 10.9 The Council continues to work with the County Council in particular to improve the provision of disabled parking in the town centres and to determine how to deter those that park in disabled parking spaces.
- 10.10 The Council continues to provide training to employees on customer care for people with disabilities and reviews the effectiveness of the training in the near future