

REPORT TO THE EXECUTIVE

Report No. 14

Date of Meeting	9 th November 2006
Title of Report	Access Policy
Portfolio	Equality and Diversity
Link to Corporate Priorities	Equalities & Diversity is one of the Council's Corporate Priorities.
Key Decision	Yes
Executive Workplan Ref	B295
Public Report	Yes

Summary of Report

Propose the Executive adopts a disability Access Policy which gives the Council and all those who provide services on behalf of the Council, guidelines for their practices and procedures to ensure that disabled people with impairments are not discriminated against. It also provides an action plan together with a programme of improvements to the Council's buildings and service plans to ensure that everyone has access to the services it provides.

Officer Recommendations

That the Executive adopt the Access Policy, attached at Appendix 1.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
Yes	Yes	None	Yes	Yes

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1. Introduction

- 1.1 Since October 1995, there is a duty presented by Part III of the Disability Discrimination Act to ensure that every Council service is accessible to disabled people. The new 2005 Disability Discrimination Act now places an additional duty to promote disability equality. The Access Policy will help to ensure that no part of the Council creates physical or intellectual barriers to disabled people as employees or customers using its services. By carrying out best practice for its own design schemes, the Council will be leading by example, in order to encourage others to follow suit and to promote the concept of Social Inclusion

2. Options and Options Appraisal

- 2.1 Option 1: **Do Nothing**. Opens the Council to legal challenge and erratic compliance with legislation.
- 2.2 Option 2: **Prepare Action Plan and Strategy**. The establishment of a Strategy encourages co-ordination mechanisms to ensure access requirements are incorporated into mainstream thinking of all customer service providers

3. Background Information

- 3.1 The 1995 Disability Discrimination Act laid the foundations for physical and sensory accessibility to buildings controlled by the Council. Subsequent duties require the Council to consider all its customer services and obligations as an employer to be fully accessible.
- 3.2 The Policy is about both physical and sensory accessibility to buildings controlled by the Council and within those buildings. It is about accessibility in streets, in public open spaces, playgrounds, transport and in areas between and around buildings. The Strategy is also about accessibility to Council services in general to disabled people. In many cases, the Strategy will be promoting good equality practice rather than additional spending. Frequently, the good practice will benefit a wide range of people, not only disabled people.
- 3.3 As well as direct Council services, the Policy (and the document "Good Access benefits all") is applicable to services, and projects where the Council is the lead, or the client. It is relevant to various partnership arrangements and agents (such as architects or contractors) working on behalf of the Council.
- 3.4 The Council is already complying with all aspects of the legislation and has a programme of disability works to its buildings; including adjustments to the Monkton Park Office; an accessible web site; employment services two tick "positive about disabled people", equalities and diversity training for all staff and Members; and Equality Impact Assessments are being carried out on existing and new policies and services.
- 3.5 Year upon year, the degree of success in achieving the Policy will be judged by the implementation of agreed predefine performance targets and outcomes, task by task. This work needs to be fully developed with service providers and the Council's partners and stakeholder groups working together. There are several over-arching objectives against which all progress must be measured
- A range of accessible buildings, spaces and facilities provided as part of the BVPI target
 - The emergence of active and established groups related to access

- Ensuring that access issues are a recognised part of service reviews, including services that are not directly related to upgrading the physical environment

4. Equality & Diversity Implications

- 4.1 The Report is directly related to Equality & Diversity and the adoption of the Access Policy will give the Council and all those who provide services on behalf of the Council, guidelines for their practices and procedures to ensure that people with disabilities are not discriminated.

5. Legal Implications

- 5.1 The Disability Discrimination Act 2005 placed a number of general duties on local authorities in carrying out their functions. There are two relevant to this report (a) the need to promote equality of opportunity (for all people) (b) the need to take steps to take account of disabled persons' impairments which may be given preference, even where that involves treating disabled persons more favourably than other persons.

6. Financial Implications

- 6.1 There are no direct financial implications arising from the report; however current action plans for Disability Discrimination works and services are already included in this years budget and service plans. Any future expenditure will be subject to budget consideration by the normal budget processes.

7. Human Resources Implications

- 7.1 There are Human Resources implications - the provision of training and access to employment, impacting on existing and future employees of the Council.

8. Risk Analysis

- 8.1 The risks associated with not accepting the recommendation will make it difficult for the Council to demonstrate that it is meeting its equality objectives.

Appendices:	<ul style="list-style-type: none"> • Appendix 1 - Draft Access Policy • Appendix 2 - Good Access benefits all
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"> • none

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
<ul style="list-style-type: none"> • none 		