



CENTRAL SCOTLAND
JOINT POLICE BOARD

DISABILITY EQUALITY SCHEME

FOREWORD

As Convener of the Central Scotland Joint Police Board, I am pleased to present the Board's first Disability Equality Scheme. As a public authority we accept the duty placed upon us by legislation to prepare and publish a Disability Equality Scheme and to promote disability equality.

The Central Scotland Joint Police Board, in conjunction with Central Scotland Police Force are committed to adopting a positive approach and giving importance to disability equality in all aspects of its work.

Together with colleagues in the Central Scotland Police Force, the Members of the Board are committed to listening closely to the views of the communities it serves and ensuring that through effective partnership working and consultation, fair and accessible services are provided to everyone who lives, works and visits the area.

The publication of the Disability Equality Scheme illustrates the Boards' responsibilities to adopting a full diversity strategy and is designed to support the Disability Rights Commission's vision of a society where all disabled people can participate fully as equal citizens.

Councillor George Matchett
Convener of the Central Scotland Joint Police Board

Central Scotland Joint Police Board

Comprising of six elected Members from Falkirk Council, three elected Members from Stirling Council and two elected Members from Clackmannanshire Council, Central Scotland Joint Police Board and its sub-committees meet on a regular basis, and has a crucial role in agreeing the broad strategies, objectives and long-term plans of Central Scotland Police. Additionally, it approves the overall budget, provides the finances for equipping and maintaining the Force and monitors police and support staff levels.

The Board appoints the Chief Constable, Deputy Chief Constable and Assistant Chief Constable and can request that the Chief Constable submit reports on matters connected with the policing of the area for Members consideration.

The Board's Functions

The Board's functions all derive from statute and fall under five main headings. This is not an exhaustive list, but it does identify the key areas in which the Board is likely to operate during the period of this Scheme:-

Allocation of Resources

An annual budget is set for the Force providing the Chief Constable with the resources required for policing the area. Responsibility lies with the Board (along with the Chief Constable) for securing best value in the use of those resources.

Appointment and Conduct of Senior Officers

The Board, in conjunction with the Scottish Ministers, is responsible for the appointment of Senior Officers (Chief Constable, Deputy Chief Constable, Assistant Chief Constable) and their conduct.

Employment of Support Staff

The Board is the employer of Support Staff, but is required to delegate responsibility for their operational management to the Chief Constable.

Scrutiny

The Board is required to keep itself informed as to the manner in which the Chief Constable deals with complaints against officers of the Force, and receives reports from the Chief Constable on policing matters.

Miscellaneous

These include consenting to certain officer secondments, meeting certain claims in respect of the exercise of policing functions and making appointments to police appeals tribunals. The Board has ultimate responsibility for health and safety matters within the Force.

EXECUTIVE SUMMARY

Background

Promoting equal opportunities, preventing discrimination and valuing diversity are fundamental to building strong communities and strong services.

It is widely recognised that disabled people have faced persistent disadvantage and discrimination. This injustice has resulted in inequality, exclusion and lack of opportunity for many disabled people. Exclusion can be magnified by other factors including age, ethnic origin or gender.

Equality is unlikely to be achieved unless the needs of disabled people are sought, recognised and responded to appropriately.

The Disability Rights Commission (Disability in Scotland 2005-2020 A State of the Nation Report 2005) confirms that there is no single definitive source to estimate the number of disabled people in Scotland. There are a range of sources of information which include but are not limited to the 2001-2002 Scottish Household Survey which estimates that just under one in five adults in Scotland has a disability and/or a long-term illness (Scottish Executive, 2004C). Estimates from the Family Resources Survey (Office for National Statistics, 2004A) suggested that Scotland has about one million disabled adults likely to be covered by the Disability Discrimination Act 1995.

Legislation

The Disability Discrimination Act became law in 1995 and introduced new measures aimed at ending the discrimination which many people faced in their everyday lives. Disabled people have the right to fair treatment in employment, in education and as customers of services.

The Act which was amended in 2005, created a duty on public bodies to actively promote disability equality. As a consequence, the Central Scotland Joint Police Board must adopt a positive pro-active approach and give due regard to disability equality in all its decision making, activities and services. The disability duty also include the need to encourage participation of disabled people in public life and the need to take account of disabled peoples' disabilities even where this involves treating disabled people more favourably.

Disability Equality Scheme

Under the amended legislation, Central Scotland Joint Police Board is required to prepare and publish a Disability Equality Scheme. The Disability Equality Scheme sets out how the Board will fulfil the duties on disability equality and informs the community how it will promote equality for disabled people. The Board is committed to producing a report reviewing the Scheme on an annual basis and acknowledge that an updated Disability Equality Scheme be produced at least every three years after publication of this Scheme.

The Disability Equality Scheme can be seen as having both an outward and inward focus and the Board has a duty to promote disability equality as an employer.

Impact Assessments

Discrimination can also occur at all levels of organisations if policies and practices have failed to take into account the requirements of disabled people. The Board accepts its legal responsibility to assess and monitor its policies and functions against any possible negative impact on disability equality and ensuring that opportunities for promoting equality are maximised.

Action Plan

The Action Plan establishes a framework to address the issues which impact upon disabled people and sets out a programme to ensure commitment and progress.

Legislation, the General and Specific Duties

Introduction

The Disability Discrimination Act 1995 introduced new measures aimed at ending the discrimination which many disabled people experience in their everyday lives. Amended by the Disability Discrimination Act 2005, there are now “general” and “specific” duties placed on all public authorities, including Police Boards, to ensure that when carrying out their functions they consider the following:-

- promote equality of opportunity between disabled persons and other persons,
- eliminate unlawful discrimination,
- eliminate harassment of disabled persons that is related to their disabilities,
- promote positive attitudes towards disabled persons,
- encourage participation by disabled persons in public life,
- take steps to take account of disabled person’s disabilities even where that involves treating disabled persons more favourably than other persons,
- the general duty covers all functions and activities of Central Scotland Joint Police Board.

The Central Scotland Joint Police Board is committed to being an active participant in future consultations and will take opportunities to work with other partners in establishing meaningful relationships with disability groups at a local level.

The purpose of this Disability Equality Scheme is to ensure the promotion of equality of opportunity for disabled people and thus prevent discrimination and disability related harassment taking place. It is the intention to provide a service that is professional, respectful, responsive and skilled in meeting the needs of disabled people. A number of benefits are to be gained from the Disability Equality Scheme and they include:-

- increased public confidence and reputation,
- increased involvement and participation of all sectors of the community in helping to eradicate disability discrimination and promote inclusion,
- compliance with legislation,
- achieving a representative workforce.

The Central Scotland Joint Police Board has considered which of its functions are relevant to its general duty to promote equality and their relative importance in the context. These functions, along with the actions of the Board intends to take (in conjunction with the Chief Constable, where appropriate) are addressed as follows:-

Appointments

The Board is subject to detailed Scottish Executive guidance governing the recruitment and selection of senior officers. The pool from which those senior officers can be drawn is restricted to serving police officers to the rank of superintendent and above. The Board will, however, consult the relevant professional bodies in an effort to identify any additional measures it could take with a view to promoting equality of opportunity in its recruitment and selection practices.

Complaints

In carrying out its scrutiny function in relation to investigating complaints, the Board will obtain from the Chief Constable and consider information regarding the groups to which complainers belong.

Custody Visiting

The Board operates a scheme for the visiting of police custody areas by lay people. Guidelines regulating this Scheme are reviewed in the light of operational experience and will take into consideration any further action that might practicably be taken to promote equality, particularly in the recruitment and selection of visitors. By 2008 the Board will seek to ensure that Custody Visitors are representative of the community they serve.

Employment Duty

The Specific Duties

The Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005, Regulations 2, 4 and 5 require public authorities to produce and publish a Disability Equality Scheme.

In summary, the duties state:-

- a public authority should publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties,
- a public authority should involve disabled people in the development of the Scheme,
- the Scheme should include a statement of the way in which disabled people have been involved in the development of the Scheme,
- the authority's methods for impact assessment,
- steps which the authority will take towards fulfilling its general duty (the 'action plan'),
- the authority's arrangements for gathering information in relation to employment and, where appropriate, its delivery of education and its functions,
- the authority's arrangements for putting the information gathered to use, in particular, in viewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes,

- a public authority must, within three years of the Scheme being published, take the steps set out in its action plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and making use of information,
- a public authority must publish a report containing a summary of the steps taken under the action.

Definition of a Disabled Person

The Disability Discrimination Act 1995 provides a definition of disability.

“A person has a disability if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities.”

We recognise that the term disabled does not describe a single group of people, disability takes many forms. Disabled people are represented in all communities within the Force area. We also accept that not all people who may be defined as a disabled person within the definition of the Disability Discrimination Act would consider themselves as “disabled”.

Social Model of Disability

Central Scotland Joint Police Board will use the “social” model of disability. This model of disability has been developed and championed by disabled people and rejects the historical medical model of disability which focused on medical conditions and impairment as the main reasons for the difficulties experienced by disabled people.

The social model of disability approaches disability from the position that what “disables” a person is the way in which society is designed and organised. It proposes that economic, social, environmental and attitudinal barriers prevent disabled people from participating fully in society and in effect prevent disabled people from having the same opportunities as non-disabled people.

The social model of disability offers the opportunity to achieve equality by taking action to identify and remove barriers.

Involving Disabled People

As part of the commitment to engage and involve disabled people in drawing up the Disability Equality Scheme, the Central Scotland Joint Police Board have shared the consultations undertaken by Central Scotland Police Force. Central Scotland Police Force formed part of a multi-agency consultation event in Stirling which was jointly hosted by Central Scotland Fire and Rescue, Local Authorities and NHS Forth Valley and was attended by 55 people representing a range of community groups.

Discussion has taken place with disabled people and local community groups including Alloa People First, the Council on Disability in Stirling and Falkirk and District Access Assessment Group. Personal accounts were taken from disabled people and their carers concerning the delivery of police services and recommendations for action.

With a view to mainstreaming disability into the community consultation and engagement methods, Central Scotland Joint Police Board will share the review of the twice yearly Police Service User Questionnaire and tri-annual Community Consultation Survey, to ensure that they include questions relating to the needs of disabled people. The results and feedback from previous Police Service User Questionnaires with regard to levels of customer satisfaction experienced by disabled people will also be taken into account.

Valuing our Workforce

The Central Scotland Joint Police Board are keen to ensure that the people working for it and with it represent the community it serves.

Fully committed to equality of opportunity, the Board is determined to ensure that no candidate or holder of a position within it receives less favourable treatment by reason of gender or sexual orientation, marital status, disability, religion, colour, race, nationality or national origins, or is disadvantaged by conditions or requirements which cannot be shown to be relevant to performance.

- **Monitoring Data**

Diversity related employment data is regularly monitored and this data covers diversity connected with all aspects of employment.

This information will be used to identify trends and promote further courses of action, where necessary.

Employment statistical data will be presented annually to the Central Scotland Joint Police Board

- **Training**

The Central Scotland Joint Police Board is committed to ensuring that all relevant staff are trained appropriately in all areas of Diversity Awareness and access the various training packages available for them to develop their knowledge and skills.

Management of Diversity Issues

In 2004, Central Scotland Police Force established a Diversity Forum chaired by the Deputy Chief Constable. This Diversity Forum, which meets quarterly, has strategic responsibility for all equality issues, including the Force Diversity Strategy, Disability, Gender and Race Equality Schemes and Age Discrimination Policy. The Central Scotland Joint Police Board supports the Diversity Forum and shares the outcomes emanating from it.

Equality Advisory Groups

The Board recognises the commitment to working in partnership with local communities and fully supports the establishment of the Central Scotland Police Lay Advisors for Minority Ethnic Affairs Group, which is aimed at promoting healthy discussion and improved procedures and practices.

Reviews of these advisory groups will be undertaken to ensure that they are as representative as possible in respect of all strands of Diversity, including disability.

The Board endorses the establishment of the Central Scotland Police Disability Advisory Panel which comprises members of the Force who have a disability, care for someone who has a disability or otherwise has a valuable contribution to make to the group.

Equality Impact Assessments

The purpose of impact assessments is to both assess the likely impact of services and activities on disabled people and other equality target groups and to ensure that these services and activities do not disadvantage them. It is thought to identify where activities might better promote equality of opportunity between disabled and non-disabled people and build in different parts of the Disability Equality Duty (*e.g.* promoting positive attitudes).

All future policies and procedures will continue to be subject of impact assessment in respect of all strands of diversity.

Monitoring, Evaluation and Review

The Disability Equality Scheme and action plan will be monitored and scrutinised on an internal basis by the Diversity Forum, the Joint Police Board and the Disability Rights Commission.

Officers serving the Board will maintain a watching brief over new legislation, official reports, court decisions and other issues which might affect policies and procedures.

Access to Buildings

Meetings of the Central Scotland Joint Police Board are held within the offices and buildings of its constituent local authorities. Liaison with these local authorities will be maintained to ensure all buildings and offices used are fit and proper to meet the needs of all who have a disability.

PROVIDING FEEDBACK

Access to the Disability Equality Scheme

The Disability Equality Scheme and its Action Plan will be published on websites of Central Scotland Police Force, Clackmannanshire Council, Falkirk Council and Stirling Council where direct feedback is encouraged. Copies of the Scheme will be made available in other languages or formats on request.

Any comments about the Scheme, or requests for copies should be directed to the:
Clerk to the Joint Police Board
Municipal Buildings
Falkirk
Tel: 01324 506070

Further information on Disability Equality Scheme can also be obtained from:-

Disability Rights Commission DRC Helpline. Tel: 08457 622633, Textphone: 08457 622 644, Fax: 08457 778 878 (you can speak to an operator at any time between 8.00 am and 8.00 pm Monday to Friday)

By Post:
Disability Rights Commission Helpline
FREEPOST MID02164
Stratford upon Avon
CV37 9BR
Website: www.drc-gb.org/scotland

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DISABILITY EQUALITY SCHEME

ACTION PLAN – ANNUAL UPDATE

	What we will do:	By Whom	Progress
The Disability Equality Scheme	<ul style="list-style-type: none"> • Review – The Board intends to review the Scheme annually 	Clerk	Report to be submitted to Board on 28 March 2008.
Employment Monitoring	<ul style="list-style-type: none"> • Employment Monitoring – • Support Staff – Although the Board takes no direct part in the employment of support staff, it does consider appeals made by employees against actions of the Chief Constable on questions of discipline and grievance. The relevant procedures will be reviewed to ensure that procedures are drafted and applied with a view to avoiding unlawful discrimination of any kind. 	Clerk Clerk	In the last year the Board has approved the implementation of a performance development scheme for Chief Officers which is based on guidance from the Scottish Government and HMCIC. One appeal against dismissal was considered by the Board in the last year. The relevant procedures were found to be suitable and training and guidance was provided to Board Members in advance of the Hearing by the Board’s Human Resources adviser.
The Board’s Functions	<ul style="list-style-type: none"> • Appointments – The Board will consult the relevant professional bodies to identify any measures it could take to promote equality of opportunity in its recruitment and selection practices. 	Clerk	Recruitment procedures for the position of Deputy Chief Constable followed national guidance issued by the Scottish Government and HMCIC. Members of the Board’s Selection Panel also received full training provided by an external employment law specialist in advance of participating in the recruitment process.

	<ul style="list-style-type: none"> • Complaints in respect of senior officers – The Board considers its processes in relation to complaints of this kind, insofar as it has any discretion, to be fair and transparent. • Other complaints – In carrying out its scrutiny function in relation to complaints dealt with by the Chief Constable and consider information regarding the groups to which complainers belong. This information will be provided to the Sub-Committee Dealing with Complaints Issues. • Custody visiting – The Board operates a scheme for the visiting of police custody areas by lay persons. The guidelines regulating this scheme will require to be reviewed in the light of operational experience and this review should include consideration of any further action that might practicably be taken to promote equality, particularly in the recruitment and selection of visitors. 	<p>Clerk</p> <p>Clerk/ Depute Chief Constable</p> <p>Clerk</p>	<p>There has been 2 complaints of this nature considered by the Board in the last year.</p> <p>Members of the Board’s Complaints Committee continue to receive information on current complaints at its regular meetings including any issues relating to equality.</p> <p>Custody Visitors continue to attend regular training events and meet every 8 weeks with Board officers and representatives of the Chief Constable.</p> <p>Recruitment campaign for new Custody Visitors planned for Spring 2008 in accordance with ICVA national guidance and best practice. This is to be reported to the March meeting of the Board and takes account of equality issues.</p>
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			reports are available. These documents are now also available on the website for Falkirk Council.
Publicity	<ul style="list-style-type: none"> • Consultation – The Board will share the consultation undertaken by its colleagues in the Central Scotland Police Force and consider in the light of that consultation what action it requires to take to develop public awareness. • Distribution – The Scheme will be published and circulated to all members and officers of the Board and be submitted to the Disability Rights Commission. In addition, it will be placed on the Central Scotland Police Force website and circulated to the constituent authorities for distribution as appropriate. Translations will be made available by arrangement. 	<p>Clerk</p> <p>Clerk</p>	<p>The sharing of information with the Diversity unit of Central Scotland Police Force informs future actions for the Board. Where appropriate, these are reflected in standing Reports submitted by the Chief Constable and/or Clerk.</p> <p>The policy and associated action plan is available on the Board's WebPages.</p>
Training	<ul style="list-style-type: none"> • Training – The Board will ensure that all its Members and relevant staff receive appropriate training. 	Clerk	Diversity and equality issues were included in the induction training to all new Board Members.