

Cabinet 19 March 2018

Report title: Equality Commission Implementation: Analysis of our current approach to disability

Wards: All

Portfolio(s): Councillor Lib Peck, Leader of the Council and Chair of the Equality Commission
Councillor Sonia Winifred, Cabinet Member for Equalities and Culture

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Report summary

The Lambeth Equality Commission was launched by Councillor Lib Peck in October 2016. Its fundamental purpose was to understand how Lambeth Council and its partners could improve the living standards and life chances of those residents who are currently worst off and least able to take advantage of the opportunities offered by growth in the borough. The Commission focussed on a number of groups who were most likely to experience inequality; disabled residents was one of these groups.

The Equality Commission published its final report in July 2017. This report highlighted the significant inequalities and disadvantage experienced by disabled people across a range of different areas, including: education and learning; income and employment; participation and representation; and crime. It included a range of detailed recommendations about actions the council should take to help reduce inequalities affecting disabled people. These included recommendations relating to council HR practice; our approach to consultation and engagement; customer services; and education.

Members and officers understand that the council has an important role to play in providing leadership on disability. But they also recognise that, to do this convincingly, the organisation needs to make decisions and deliver services that reflect a good understanding of issues affecting disabled people and what is important to them. In acknowledgement of this, a Cabinet report on implementing the Commission's recommendations made a specific commitment to producing an analysis of our current approach to, and performance on, a range of key disability issues; and proposals for what the council will do to address any areas of weakness.

This report seeks Cabinet's authorisation to implement the recommendations outlined in this report (see section 4.3).

Finance summary

There are no immediate financial implications as a result of this work; however implementation of these recommendations will require a commitment of staff time. A more substantial commitment of time needed

would come from colleagues in Corporate Resources, specifically: policy and partnerships; HR; consultation and engagement; and communications (internal). It is anticipated that a lead officer should be identified to coordinate the implementation of the recommendations of the analysis over the next 12 months, spending on average one day per week on this work.

There will be no call on capital or revenue funding over and above that which is required by services to deliver the council's borough plan priorities.

In the event that future activity related to this work is anticipated to have a financial impact, further executive decisions will be brought forward.

Recommendations to Cabinet

1. To note the analysis of our current approach to, and performance on, a range of key disability issues; and proposals for what the council will do to address any areas of weakness.
2. To approve and accept the recommendations to the Council set out in this report.

1 **Context**

Origins of this analysis

- 1.1 The Equality Commission published its final report in July 2017. This report highlighted the significant inequalities and disadvantage experienced by disabled people across a range of different areas, including: education and learning; income and employment; participation and representation; and crime¹. A report outlining a proposed approach to implementation was signed off at Cabinet in October 2017.
- 1.2 The final report of the Equality Commission included a range of detailed recommendations to the council, with the aim of reducing inequalities affecting disabled people. These included: recommendations related to council HR practice; our approach to consultation and engagement; customer services; and education. These recommendations are summarised in Appendix 1.
- 1.3 Members and officers were also very aware that the council has an important role to play in providing leadership around disability. But they also recognised that, to do this convincingly, the organisation needs to make decisions and deliver services that reflect a good understanding of issues affecting disabled people and what is important to them. In acknowledgement of this, the Cabinet report made a commitment to producing a separate report which included analysis of: how much is understood about what is important to disabled people; our current approach to, and performance on, a range of key disability issues; and detailed proposals for what the council intends to do to address any areas of weakness.
- 1.4 This report builds on the work of the Equality Commission, and presents further detailed analysis of the Council's approach to disability as an employer and service provider.

Definitions used as part of this analysis

- 1.5 This analysis employs the definition of disability prescribed by the Equality Act 2010 (see Appendix 1). This is that you're disabled if you *'have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities'*². This definition includes long-term mental health issues.
- 1.6 The Council is obliged to use the above model when establishing disabled people's eligibility for certain services. But, in 2006, the council adopted the social model of disability (see Appendix 3) which is based on the principle that it is the barriers erected by society which disable people, not their specific impairments. Therefore disability is caused by social organisation, which takes little or no account of people who have impairments and thus excludes them from participating in mainstream social activities.
- 1.7 Following the social model, a person is disabled if they identify themselves as having an impairment, e.g. a physical or sensory impairment, learning difficulty, health or mental health issue. This can be hidden or visible. As a consequence of this, they may have experienced disability discrimination – and it is this discrimination that disables them.
- 1.8 The council is committed to empowering and including people by removing barriers that disable, particularly in relation to council employment and access to council services, information and buildings. This includes using appropriate language in line with the social model. The intention of adopting the social model was to aid the creation of a culture where disabled staff and disabled customers felt confident in identifying as a disabled person as defined by the social model.

¹ https://lambethcouncil.atavist.com/equality_commission

² <https://www.gov.uk/definition-of-disability-under-equality-act-2010>

- 1.9 The Council has adopted the term ‘disabled people’ because it best reflects the social model of disability and is the term favoured by most disabled individuals and the groups which represent them. However, the Council recognises that disabled people are not a single unified group and that the people falling within the broad definition include individuals with physical impairments, sensory (e.g. visual and hearing) impairments, learning disability and mental ill-health. Disabled people’s requirements will vary, due to the nature of their impairment and other factors.
- 1.10 This analysis aims to describe how the council currently provides for disabled people across key council functions or service areas, and identify how the council can improve. There are a number of reasons for this focus. Firstly, disabled participants in the Equality Commission discussions identified these as service areas where disability was not felt to receive sufficient consideration, and/or where there were issues relating to access, participation or outcomes for disabled people. Secondly, they are areas that the council knows, based on evidence, are important to disabled people and have an impact on their life outcomes.
- 1.11 This analysis does not seek to assess the services in which disabled people make up all or a high proportion of services users, for example adult social care (ASC) and special education needs and disability (SEND) education services, as it is expected that practice for this area will be more developed.

Policy context

- 1.12 The Equality and Human Rights Commission’s (EHRC) has recently set out³ how, despite having seen a number of key disability-related milestones in the UK over the past twenty years - including: the passing of the Disability Discrimination Act, the ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) (2008), and the passing of the Equality Act - the overall picture for disabled people is still challenging. The EHRC identified that, across a range of important life domains, disabled people are facing more barriers and falling further behind their non-disabled counterparts. It showed how disabled people are denied the everyday rights non-disabled people take for granted, such as being able to access transport, appropriate health services and housing, or benefit from education and employment.
- 1.13 Recent evidence also shows that disabled people are more likely to experience difficulty in accessing a wider range of public services including benefits, tax, cultural activities, sport and leisure. So, for example, 45.3% of disabled people reported difficulties in this respect, compared to 31.7% of able bodied people. The situation was worse for people with some types of impairment – for behavioural impairments, the figure was 75.1%; people with mental health problems 54.4: and memory conditions 53.1%.⁴
- 1.14 In addition, the EHRC report, and a range of other evidence sources⁵ show that not only do disabled people struggle to access key services and opportunities, but that that they are also more likely to live in poverty. For example, 30% of working-age adults in families with at least one disabled member live in households with below 60% of contemporary median income after housing costs, compared with 18% for those living in families with no disabled members⁶. Disabled people have been disproportionately affected by social security reforms, augmenting this income inequality.
- 1.15 In August 2017, the UN committee on the Rights of Persons with Disabilities announced that the UK was not upholding its commitments to the UN convention on disabled people’s rights⁷. The biggest

³ EHRC (2016) ‘Being disabled in Britain 2016: A journey less equal’

⁴ Life Opportunities Survey quoted in EHRC (2016) ‘Being disabled in Britain 2016: A journey less equal’

⁵ https://www.npi.org.uk/files/3414/7087/2429/Disability_and_poverty_MAIN_REPORT_FINAL.pdf

⁶ <http://researchbriefings.files.parliament.uk/documents/SN07096/SN07096.pdf>

⁷ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

concern was the reduction in public spending since 2010, including measures such as the tax on spare bedrooms, which have disproportionately affected disabled people. Pressure groups such as Disability Rights UK and Disabled People against Cuts have echoed the UN's concerns.

- 1.16 Recent statistics show that, in Lambeth, about 37,000 people say their day-to-day activities are limited by a long-term illness or disability - about 17,000 of these say limited a lot, and 20,000 limited a little. About 60% of people with a limiting health condition are aged over 50 and, as might be expected, the prevalence of limiting health conditions increases with age.
- 1.17 Projections from by the Department of Health, based on data from the Health Survey for England, suggests that there are currently 19,000 working age Lambeth residents who have a moderate or severe physical disability, and 37,600 who have a common mental disorder⁸. Whilst Lambeth has a relatively young age profile, it is still reasonable to expect that, with an aging overall population, the numbers of residents with disability will increase.
- 1.18 Where impairments are more limiting, disabled people are more likely to require Adult Social Care support or, if children, support from Children's Services. In 2016-17, the council had 4,713 service users in receipt of long-term support for adult social care. 62% of these were older people, 17% were younger adults with physical disability, 14% had learning disability and 8% were younger adults requiring mental health support.
- 1.19 Against this challenging context, it is important to recognise that there is also a range of emerging developments with potential to improve the lives of disabled people. In the delivery of public services, the health and social care transformation holds considerable potential to improve lives and outcomes for disabled people. At service level, new technologies have more potential to have a positive impact on communication with - and delivering support to - disabled people, than perhaps any other group.
- 1.20 Whilst this analysis focuses on what the council might do improve to improve disabled people's experience, it is worth highlighting that much of what constitutes best practice for disabled people – be it clear and simple communication or more accessible buildings – will benefit everyone.

Our approach to this analysis

- 1.21 This analysis aims to describe how the council currently provides for disabled people and considers their needs when developing council policy, strategy and service delivery. The assessment is based on: discussions with officers from the relevant service areas; use of performance and complaints data; analysis of equalities impact assessments (EIAs); and feedback from the reference group convened to support this work.
- 1.22 The reference group included representatives from a number of key partner organisations, including local disabled people's organisations, and disabled residents with a range of different impairments. For more detail on this, please see Section 5.
- 1.23 The analysis has focused on five areas of our business that were identified as being particularly important to disabled residents, based on feedback from engagement undertaken as part of the Equality Commission. These are:
 - human resources;
 - customer services;
 - resident consultation and engagement;
 - planning and public realm; and
 - housing.

⁸ PANSI & POPPI

1.24 The focus of this analysis was informed by the coverage of the Convention on the Rights of Persons with Disabilities⁹, and work undertaken by the EHRC¹⁰. They were interpreted so they are applicable to a local government context. The principles used to shape the focus of this analysis were as follows:

- **Awareness:** Council staff are aware of and understand different impairments and think about them when designing and delivering services.
- **(Equality of) access:** Every Lambeth resident should be able to access council services without difficulty
- **(Availability of) appropriate services:** There are services available which meet the needs of disabled people.
- **Equal treatment:** Everyone is treated equally.
- **Independence and dignity:** Every Lambeth resident will be treated as an individual, given choices and helped to take control over their own lives.
- **Participation and representation:** Everyone should have the chance to have a say in decisions that affect them.
- **Equality of opportunity:** Everyone has an equal chance to make the most of their lives and talents.

1.25 The scope of the analysis also aimed to complement rather than replicate other work being undertaken in the organisation with relevance to disability, particularly two Overview and Scrutiny (OSC) Committee-led commissions, which reported to OSC in October 2017. There were:

- **The Accessibility Commission:** this investigated how far Lambeth Council's digital service delivery channels meet recognised accessibility standards, recognising that, given the local and national backdrop of continuing budget cuts, organisational redesign and increasing developments in, and use of, technology, delivering high quality and fully accessible digital services has never been more important. It has made a series of recommendations, based on the aspiration that digital services should achieve a 'gold standard' for accessibility¹¹.
- **The Jobs for All Scrutiny Commission:** this aimed to assess council policy relating to helping those furthest from the labour market into work and identify possible enhancements to this. The commission particularly explored the role of a range of individualised employment support interventions which aim to get people facing multiple barriers, including people with learning disability and mental health conditions, into a good-quality, sustainable, paid job.

1.26 Both the "Accessibility" and "Jobs for All" scrutiny commissions made detailed recommendations about what the council can do to respond to their findings, and action plans have been developed for both. A Cabinet report on, and action plan for the Accessibility Commission are due to go to the same Cabinet meeting as this report. A report on the Jobs Scrutiny Commission will go to Cabinet later in the year.

1.27 The recommendations and actions identified in this report aim to complement activity already happening as a result of the above.

⁹<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

¹⁰ <https://www.equalityhumanrights.com/en/publication-download/being-disabled-britain-journey-less-equal>

¹¹

<https://moderngov.lambeth.gov.uk/documents/s91455/05a%20Accessibility%20Commission%20OSC%20report%20Oct%202017%20v4.pdf>

2. Council's role in improving outcomes for disabled people

Whilst this analysis focuses on a particular set of services, there are a number of other roles that the council plays in improving outcomes for disabled people.

These are highlighted briefly below:

Equalities Leadership: Leadership on equality is provided by the Policy and Partnerships team, which sits in the council's corporate centre. The team's responsibilities include:

- supporting the organisation to fulfil its Public Sector Equality Duty;
- development of equalities policy and strategy;
- sharing best practice and keeping up to date with the latest legislation;
- providing training and support on Equality Impact Assessments (EIAs);
- providing advice and quality assurance on EIAs;
- administering and supporting the Corporate EIA Panel; a member-led panel responsible for reviewing key policies and decisions to ensure compliance with the Public Sector Equalities Duty; and,
- commissioning research to understand our communities and inequalities in the borough.

Awareness raising about, and information sharing related to, disability: the council has taken a number of actions to raise the profile of specific disability issues internally, and through its networks. For example:

- the council has a contract with **DisabledGo**, a company that undertakes detailed pan-disability accessibility audits and publishes the results of these in an online directory. The aim of the service is to allow disabled people to make more informed choices about the places they visit, offering them more independence and control. To date, 306 venues (including community spaces, schools, GP practices and the newly refurbished Town Hall) have been surveyed in Lambeth, and the council is committed to a further roll out of this programme of work to community venues.
- the council has worked with Dementia Friends, a programme run by the Alzheimers Society to help change perceptions of dementia. A number of council staff have been trained as Dementia Friends Champions to carry out Dementia Friends sessions. The council is working with Lambeth AgeUK and others to develop a Dementia Action Alliance in Lambeth.

Advice and guidance: the council has an important role to play in helping disabled people access the advice and guidance they need. Whilst this will sometimes be about signposting disabled people to external advice and guidance provided by others, and in particular, local voluntary and community sector organisations, it also commissions support directly. For example, the council's 'Every Pound Counts' service has the aim of maximising the take up of benefits amongst disabled residents or residents with long-term health conditions and their carers, and people aged over 60, through the provision of an end-to-end service, including assessment and support. Last year, it supported around 1,500 vulnerable people to achieve individual income gains worth around £7.5m per year, bringing an average annual income gain of £5,000 per person. The service has developed referral partnerships and strong links with health and social care professionals to reach the borough's most vulnerable residents.

Supporting our local voluntary and community sector (VCS): Lambeth's voluntary and community sector (VCS) is a large, diverse grassroots sector that often works closely with the borough's most vulnerable and disadvantaged communities. It includes a significant number of disabled people's organisations (DPOs) that champion the needs of Lambeth's disabled

community. In recognition of the dual challenges facing the sector of the impact of national austerity, and increased need in our local communities, the council and VCS have recently agreed a new VCS Strategy, which sets out a collaborative approach to addressing the issues facing the borough. Local DPOs have been actively involved in the development of this strategy and will be involved on an ongoing basis through the newly-formed VCS Liaison Group. This is a VCS/public sector partnership that will work together to oversee the implementation of the VCS Strategy, much of which is focused on responding to the support needs of the sector itself.

3. Analysis by service area

For each of the service areas analysed, this report summarises:

- **What is understood about what matters to disabled people:** this report recognises that whilst ‘what matters’ to disabled people about service delivery may not differ from non-disabled people, there may be some aspects of service delivery that are particularly important – and these are captured in the principles outlined in section 1.25. It also recognises, for issues like accessibility, what disabled people need may depend on the specific nature of their impairment.
- **The council’s current approach** (either in terms of processes used, delivery of services etc.), with particular reference to what attention is paid to meeting the needs of different groups of disabled residents.
- **What data or insight is available on performance** in these areas and how far the council is delivering services that reflect what matters to disabled people – with particular reference to the experience of disabled residents or staff.
- **Current service development** that is planned or already in train, which the council expects to benefit disabled staff and/or residents.
- What the analysis has assessed as being **areas of strength or weakness**.

3.1 Human resources (HR) and Workforce Development

Context

- 3.1.1 The Equality Commission sets out a range of recommendations to the council relating to equality and diversity in the council workforce, and the role of the council in providing leadership on these issues.
- 3.1.2 This review sought to understand in more detail the council’s approach to attracting, recruiting, supporting and retaining disabled employees.
- 3.1.3 Recent workforce data suggests that 7% of the council’s workforce report having a disability, against estimates that 19% of people nationally have a disability, and that 46.3% of working-age disabled people are in employment. It is unclear how far the apparently low numbers of council employees identifying themselves as being disabled reflects underrepresentation of disabled people, and how far it can be attributed to underreporting of disability by our staff.

What matters to disabled people?

- 3.1.4 There is a significant evidence base on what disabled staff want and need in relation to employment – both in terms of access to good employment opportunities, and equal opportunity in the workplace¹². In terms of local evidence, feedback gathered from staff through the Equality Commission identified a strong appetite for greater representation of disabled staff in the

¹² <https://www.equalityhumanrights.com/en/multipage-guide/reasonable-adjustments-practice>
<https://www.citizensadvice.org.uk/work/discrimination-at-work/what-are-the-different-types-of-discrimination/duty-to-make-reasonable-adjustments-at-work-what-must-employers-do/>

organisation overall, but particularly in leadership positions. Proactive support with adaptations, adjustments and assistive technology were also important to disabled staff. Section 3.1.12, on performance, sets out some of the specific issues raised by disabled staff in the most recent council staff experience survey.

The council's current approach

3.1.5 The council has a number of systems and processes in place which are intended to ensure the council fulfils our statutory obligations, but which also seek to actively encourage the recruitment of disabled staff. These include:

Pre-recruitment

3.1.6 Targeted pre-employment support: the council currently runs two pre-employment support programmes: the Industrial Cadets work experience programme, targeted at 16-24 year olds who are not in education, employment or training (NEET), and the Steps to Success employment support programme for care leavers. Both have the aim of offering pre-employment experience to groups who may be more likely to experience labour market disadvantage and, potentially, encouraging them to seek employment at the council.

3.1.7 I-Grasp: this electronic system continues to provide an application route for all candidates who declare a disability. It focuses on the core competencies of a particular post, and enables a guaranteed interview for those candidates that meet the core requirements. Paper applications are still accepted for applicants who are unable to complete their application online. This system will become Taleo from 1 April 2018, which will also include World Wide Web Consortium (W3C) accessibility standards.

Employment practice

3.1.8 Self-declaration of a disability: the council has undertaken targeted work to increase the number of staff who have declared disability status (as well as other protected characteristics like ethnicity). Activity has included: regular intranet articles, incorporating the completion of equalities information at first-day induction, improvements to the council's online recruitment system and targeted emails to staff. These initiatives have improved data collection and to date there remains 228 staff who have not completed their disability profile (a reduction from 410 staff). A new round of self-declaration surveying is planned for 2018, with appropriate internal communications to encourage and support completion.

3.1.9 Learning and development: The council offers a range of equality and diversity training which covers disability awareness and good practice. This includes a range of e-learning modules targeted at officers working in Adult Social Care and Children's Social Care, which cover topics including: mental health, dementia and learning impairments. Managers across the organisation have access to EIA training, and training on good practice when managing disabled staff. Work has also been undertaken to ensure that all disabled staff have equal access to training and development opportunities. Disabled staff were consulted during the development of the Oracle Cloud, the council's online appraisal system.

3.1.10 Occupational Health: The contract for occupational health and employee assistance programme services is currently being renewed. The new contract will include more emphasis on delivering preventative interventions, including those relating to staff wellbeing. This will form part of a wider Wellbeing Strategy that is currently being developed. Potential suppliers have been required to demonstrate their offer of support to disabled staff. A disabled member of staff was part of the evaluation panel to review this tender.

Performance

- 3.1.11 Trend analysis of the Lambeth Staff Survey (2015) points to disabled staff, and those living with long-term health conditions as having a less positive experience of working for Lambeth Council. Whilst these findings are two years old, they still provide a helpful insight into some issues that need looking at for disabled staff: namely that they are less likely to: feel supported, feel that they have opportunities available to them, and feel that they have a voice, compared to their non-disabled counterparts.
- 3.1.12 More than half of disabled staff (54%) said they were dissatisfied with opportunities for career progression (compared to 44% overall) and only 15% were satisfied with opportunities for career progression; 49% said they are dissatisfied with opportunities for career development (compared to 38% for all staff); and 29% were dissatisfied with their current job (compared to 22% overall). At the time of the last staff survey (2015), a higher proportion of disabled staff said they had been through a restructure (49% vs 37% overall) and of those who had been through a restructure only 18% agreed the process was fair and transparent (compared to 26% overall).
- 3.1.13 Disabled staff and those living with long-term health conditions were more likely to disagree to having confidence in senior management (37% vs 30% overall) and to disagree that it encourages a working culture based on fairness and respect for all staff (38% vs 28%).
- 3.1.14 As many as 45% of disabled staff disagreed there are effective ways to let senior managers know how employees feel about things that affect them and their work (compared to 37% for staff overall) and only 18% agreed that senior managers walk around the office, talking and listening to staff (compared to 25% overall).
- 3.1.15 Across the entire staff survey, the only area where disabled staff have a higher agreement rating is on how their teams work with citizens to deliver outcomes (75% vs 69%).
- 3.1.16 There are also concerns about the disparity across the organisation and underrepresentation of disabled staff in senior positions in the council. HR records for each of the three years 2015, 2016 and 2017 show just 2% of SMG and Director posts are held by staff declaring a disability, for PO5 to PO9 posts the comparable figures were 6% (2015), 5% (2016) and 5% (2017), rising to 7% for posts below PO5 for the three-year period.
- 3.1.17 Recent work by HR has raised concerns about the under-reporting of staff declaring a disability. A clear understanding about why this is happening will support monitoring of the Council workforce and help ensure it is representative of the community the council serves, at all levels and across service areas.

Current service development

- 3.1.18 In response to the HR and workforce development recommendations set out in the Equality Commission, and to the staff survey findings, HR have set in train a number of other initiatives which aim to attract, recruit, retain and progress more disabled staff. The aspiration is to embed equality and diversity principles into our employment policies and practices and promote diversity and an inclusive culture as key attributes of our corporate (employer) brand. There are also plans in place to provide an equality, diversity and inclusivity development programme across the workforce to ensure staff are more aware and confident with disability matters when dealing with residents and internally within the workforce.
- 3.1.19 To support this, the council has also secured 'Disability Confident' Employer Status (level 2), which signifies that it has gone *'the extra mile to make sure disabled people get a fair chance'*. As part of this application, officers were required to undertake an organisational self-assessment, as part of which HR identified a number of areas needing further development.

3.1.20 The council has developed an Employment Equalities Action Plan jointly agreed at the September 2017 Joint Strategy Forum which will be implemented in 2018/19. This will set out improvements in recruitment, retention, learning and development, employee voice, and management practice to improve the diversity of the workforce in all functions and levels, and support disabled people at work. An external adviser with considerable expertise in terms of equalities and diversity policy (previously worked for the CRE and Equal Opportunities Commission) has been appointed to provide advice and support in relation to HR practice and equalities. Plans are also being developed to deliver a Disability Awareness Event for staff and key stakeholders during 2018.

Strengths and weaknesses

3.1.21 There is a strong programme of HR activity in place, with the aim of increasing the representation of disabled staff in the council workforce and improving their experience of employment at the council. Given the need identified as part of the analysis undertaken for this report, the planned workforce development activity relating to equality and diversity is critical, and needs to include a strong focus on disability awareness. This analysis suggests that this activity should be targeted at the council's leadership, so that senior officers are feel confident about their understanding of disability, and ensure that it is considered in key decisions. To this end, this report proposes that a Leadership Network session (mandatory for all senior managers and leaders) be devoted to the subject of disability equality. Training might helpfully be targeted, in the first instance, at service areas identified as being important to disabled people, and where disability awareness and confidence could be improved.

3.1.22 However, more consideration could be given to what opportunities new technologies and other technical adaptations might offer for improving the experience and retention of disabled staff, as this is an area not covered in the existing programme of work, but identified as an area where practice could be developed.

3.2 Frontline customer services

Context

3.2.1 Lambeth, along with many councils, is encouraging as many residents as possible to access services online. However, in acknowledgement that there are some groups of residents who may find it difficult to use digital platforms, the council had retained a range of alternative channels, including face-to-face and telephone-based customer services.

3.2.2 The majority of frontline customer service contact takes place at the customer centre at Olive Morris House. From April, these services will be delivered from the new Civic Centre. The types of services customers can enquire about include: benefits, council tax, rents and repairs, housing, school admission documents and parking permits. Self-service terminals are also available to access general service information, pay bills and report faults. Frontline services are also provided for adult social care and children and young peoples' services at International House and the Town Hall.

3.2.3 Making all services more accessible to disabled and older residents is important. However, there are a number of services which disabled people are more likely to access within the new Civic Centre; particularly revenues and benefits, and accessible transport. Appendix 5 offers a summary of these services.

What matters to disabled people?

3.2.4 When considering what is important to disabled people within customer services, the three principles assessed as being most relevant are equality of access (accessibility); availability of appropriate services; and dignity and independence.

3.2.5 Online communication: It is important, in the move to delivering more of our services online, to recognise that there are some groups of residents who may find it more difficult to access services in this way, including disabled people. This means our customer services must put in place reasonable adjustments to enable all customers' access to facilities, products or services, either by making our websites more accessible¹³, or providing alternative routes to advice. As the recent Accessibility of Council Digital Services Scrutiny Commission recognised in their report, it is essential that online information is readily available to disabled residents with different impairments. This commission made a series of recommendations. Key recommendations included:

- The standardisation of websites relating to council services, and elimination of 'microsites';
- Compliance with web content accessibility guidelines (WCAG2); and,
- Plain English Campaign (PEC) standards compliance and, in the longer term, achievement of the PEC's Internet Crystal Mark.

3.2.6 The physical environment: as well as meeting statutory accessibility requirements¹⁴, there are a range of other factors important to disabled people, including: ensuring access is free from obstructions; how they are welcomed; signage and displays being clear and visible; emergency evacuation routes are clear and accessible; stewards being on hand to assist disabled visitors in the event of an emergency; functioning hearing loop systems; availability of accessible toilet facilities, and availability of information in alternative formats.

3.2.7 Face-to-face service delivery: research has shown it is important that customer service staff feel comfortable communicating with disabled people, but that lack of confidence and understanding of disability more generally and the impact of specific impairments can prevent this¹⁵. There is a range of detailed guidance available on what constitutes good customer service practice for disabled people (see Appendix 5). This includes: understanding that disability is not always visible or immediately apparent; asking open questions about needs and preferences; being led by the disabled person themselves (not interpreters or personal assistants); use of assistive technologies; support for people with specific impairments or needs such as dementia, dyslexia or Asperger's; and provision of information about services in available in a variety of formats, in plain English, where appropriate in 'easy read' formats and via different channels where appropriate such as audio and video¹⁶.

The council's current approach

3.2.8 The council's customer services are going through a process of significant change, as a result of the move to more online service delivery, a new customer service centre, and improvement activity to ensure as many enquiries as possible can be resolved through one contact with the Council.

3.2.9 Service standards are in place which set out what customers can expect from council services. This includes the commitment that everyone access to council services easily¹⁷. However, these standards do not make specific reference to disability.

Performance

¹³ Web accessibility means that websites, tools, and technologies are designed and developed so that disabled people with different impairments can use them. More specifically, people can: perceive, understand, navigate, and interact with the Web and contribute to the Web. Web accessibility encompasses all impairments that affect access to the Web, including: auditory; cognitive; neurological; physical; speech; and, visual.

¹⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7776/156681.pdf

¹⁵ <http://vkc.mc.vanderbilt.edu/etoolkit/general-issues/communicating-effectively/>

¹⁶ <https://www.gov.uk/government/publications/inclusive-communication/accessible-communication-formats>

¹⁷ <https://www.lambeth.gov.uk/elections-and-council/about-lambeth/council-service-standards>

- 3.2.10 The main source of information available on overall customer service performance is the customer satisfaction survey. Customer satisfaction for the year to date shows that 89% of customers were satisfied with services. Satisfaction data is not broken down by equality characteristics so it is not possible to say how satisfaction rates compare for disabled customers.
- 3.2.11 Looking at Residents' Survey data (2016), it appears that disabled residents overall have a more positive than average experience of interactions with customer service staff, 71% feeling the council's staff were friendly and polite, compared to 59% overall.
- 3.2.12 Based on complaints made by disabled residents, there was some evidence that customer service staff or staff in specific services have not always made efforts to properly understand the nature of people's impairments, and what impact these have on individuals' ability to navigate the council's systems and processes.

Current service development

- 3.2.13 The current refresh of customer services has offered an excellent opportunity to consider the needs of customers with physical or mental impairments. Much work has taken place to ensure reasonable adjustments are made to meet disabled people's needs. The council recognises the importance of involving disabled people in shaping our customer services. An exercise to test the typical customer journeys of service-users with a wide range of impairments is planned prior to the opening of the new Civic Centre. This will provide an opportunity for users to see the centre and feed back their assessment of it. The council will then make any changes or improvements to the layout or management of this space identified as being needed as a result of this visit.
- 3.2.14 As part of the development of a Customer and Digital Strategy, the organisation plans to look at how it supports disabled customers, to ensure a joined-up approach. This will include customers who will need to access services online, face to face and through our Contact Centre. It is expected a set of agreed actions and areas for investment will be developed by Q4 2018/19.
- 3.2.15 All customer service staff are undertaking training on disability and on specific impairments such as neurodevelopmental disorders like autism. Training scheduled for early 2018 includes: refresher disability training; autism awareness e-learning; Dementia Friends; and a half-day session on physical disability, mental health and learning disability. Customer service officers have been trained in supporting customers to manage access; for example, to support people with walking difficulties.
- 3.2.16 Hearing loops will be in place at the new Civic Centre to assist customers to hear clearly. A new ticketing queue system is currently being procured which will send text alerts to support hard of hearing customers.

Strengths and weaknesses

- 3.2.17 The Accessibility Commission report and action plan set out a robust approach to improving the accessibility of the council's digital front door, both so that it meets its obligations under the Equality Act and works toward recognised best practice. In recognition of the significant difficulties faced by disabled people in using digital services, the Accessibility Commission identifies a range of ways in which the council can ensure that particular groups of residents are not left behind in the move towards 'digital by default' service delivery, including ongoing monitoring. It also endorses the recommendation of the Lambeth Equality Commission to "ensure information on key issues affecting disabled residents is available in a wide range of accessible formats e.g. provision of British Sign Language (BSL) videos". This analysis also identifies this as an area that still needs development.
- 3.2.18 The reviews of the newly-refurbished Town Hall and new civic centre by local disabled residents will help ensure that these two important public buildings not only meet statutory requirements, but

are welcoming to disabled people and reflect what is most important to them. Information on accessibility will be captured via the 'Disabled Go' assessments. However, as the use of these spaces evolves or changes, it will be important to monitor how well they are functioning and meeting the needs of disabled people, for example, by making it a member of customer centre staff's responsibility to monitor accessibility and undertaking regular user testing of provisions like hearing loops.

3.2.19 There has been extensive consideration of how the needs of disabled residents can be better met in the delivery of face-to-face customer services in the new Civic Centre, including via training. However, more systematic consideration of needs of people with different impairments is needed to ensure issues relating to the accessibility of our frontline customer services are properly understood. This analysis suggests that there would be benefit in setting out more explicit expectations about how we will ensure that frontline customer services are accessible to disabled people and that they have the same quality of experience. This might be achieved either through incorporating expectations into existing standards or via separate guidance. Services may want to use team training and development on impairments to inform the development of such standards.

3.2.20 Existing performance measures of customer satisfaction, including regular satisfaction surveys and the complaints process, do not capture information on disability. Going forward, the council suggests that this should be the case so that any differences in experience are properly captured.

3.3 Consultation and engagement

Context

3.3.1 The UN Convention on the Rights of Persons with Disabilities (UNCRPD) highlights the rights of disabled people to participate in decisions and issues that affect them on the same basis as non-disabled people. Despite this, disabled people continue to face significant barriers and challenges to participation.

3.3.2 In order to effectively embed disabled people's participation, consultation and engagement activity needs to be fully accessible and inclusive. The social model of disability provides a framework for inclusive participation; by focusing on changing attitudes and removing or minimising barriers that prevent disabled people accessing the same opportunities as other people. By building this into participation work undertaken with all people, disabled people's voices are equally represented and will meaningfully influence the agenda rather than just be 'added on.' How the organisation supports participation is key.

3.3.3 Whilst this analysis focused on consultation and engagement, it is important to recognise that where services or decisions are likely to disproportionately affect disabled people, and/or where disabled staff or residents' needs may be different from their non-disabled counterparts, it will be important to actively involve disabled at the appropriate stage of service development or decision-making – for example through co-production. This reflects the principle of '*Nothing About Me Without Me*'¹⁸. When pursuing co-production, officers from across council services will be able to draw on expertise from other parts of the council, particularly adult social care.

What matters to disabled people?

3.3.4 Participants in the Equality Commission engagement events made it clear that residents wanted the opportunity to influence local decision-making. For disabled residents, there are a range of issues which are likely to affect how easy it is for them to make their voice heard in these. These include, but are not limited to: how the opportunity to get involved is communicated, and to whom; the format,

¹⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/216980/Liberating-the-NHS-No-decision-about-me-without-me-Government-response.pdf

delivery and, potentially, location of consultation and engagement activity; and whether adaptations and support are available for people with different impairments.

The council's current approach

3.3.5 Consultation and engagement activity happens across the organisation, with services sometimes designing and running their own activity, and the Consultation and Engagement team are not necessarily involved in this. The council also works with a range of community groups (for example, Tenants Associations and Community Forums) who run community engagement activity, as well as organisations like the Young Lambeth Coop (YLC), a member led organisation responsible for commissioning services for the borough's young people.

Performance

3.3.6 This analysis looked at a sample of borough-wide consultations undertaken over the past 12 months to assess what efforts had been made to encourage participation of disabled residents and stakeholders. Good efforts had been made to do this as part of some consultations. For example, in 2017-18 the Local Plan made specific efforts to engage disabled residents (see section 3.4.7), achieving a 120 responses. However, in other cases it was not clear that specific efforts had been made to engage disabled people or to monitor response rates for people with this protected characteristic.

3.3.7 Looking at Equality Impact Assessments (EIAs) completed over the past 18 months, it was also clear that there were decisions which were likely to have a significant impact on disabled residents and/or service users, and where more could have been done to address the barriers to disabled people taking part, resulting in underrepresentation of disabled people.

Current service development

3.3.8 At the time this review was being undertaken, the council's Consultation and Engagement team were reviewing the internal approach to consultation and engagement.

3.3.9 The aim of this review was to ensure that all of the council's consultation and engagement activities were consistent with the 'Gunning Principles'¹⁹. These are that:

- Consultations is undertaken when proposals are still at a formative stage;
- Consultees should be given sufficient reasons for proposals to permit 'intelligent consideration';
- Adequate time for consideration and response is given; and,
- Consultation responses must be conscientiously taken into account.

3.3.10 Implicit in the second of the 'Gunning Principles' is the need for clear and accessible communications and for efforts to be made to engage groups who may be less likely to make their voice heard. This will also lead to better consultation and engagement activity which will benefit all.

3.3.11 To achieve this objective, the team is putting in place a standardised approach across the council which reflects the Gunning Principles. This will mean that all activities are overseen by the consultation team and meet an acceptable standard, even if the team themselves are not delivering the consultation.

3.3.12 There are a number of actions that will be undertaken as part of the implementation of this new approach, which should support participation of disabled people. These include:

¹⁹ <http://nhsinvolvement.co.uk/connect-and-create/consultations/the-gunning-principles>

- **Training and development:** the team will roll out training to officers undertaking consultation and engagement and this will include guidance on how to encourage and facilitate participation of disabled residents and stakeholders.
- **Communication:** all consultations will be available on the 'council consultations' section of the website, which was designed to support engagement; and all pages in the consultation section of the website, along with online surveys, are built to high accessibility standards. To improve this, the team will work with the web and design team to improve the council's style guide
- **Dissemination:** the team will capture up-to-date information on, and develop relationships with Lambeth's disabled people's organisations, alongside the wider voluntary and community sector. This will ensure that these groups are invited to take part in all consultations the council is undertaking.
- **Accessibility:** links to 'DisabledGo' venue assessments will be included in all communications material.
- **Outreach:** the team will set up a monthly 'Consultation drop-in' at WeAre336 and the Town Hall with the aim of facilitating participation of the diverse disability groups.
- **Representation:** the team will work with colleagues in Housing Services to expand the role of the 'Lambeth 500+' panel, so it can be used as a consultation tool for other areas of the Council. As a part of this, the consultation and engagement team will aim to make this expanded panel representative of the borough's geodem makeup.

Strengths and weaknesses

3.3.13 There are good plans in place for developing the council's organisational approach to consultation and engagement, and these include consideration of how, as an organisation, the council can facilitate participation of disabled residents (and other underrepresented groups) in consultation and engagement activity, strengthening their voice in local decision-making.

3.3.14 Given the degree of importance of having a voice for disabled people, and what is known about the practical action that can facilitate engagement, there may be benefit in Consultation and Engagement colleagues setting out separate and additional guidance about their expectations of how council-led engagement activity will facilitate disabled people's participation, including through the use of new assistive technologies. This should propose minimum expectations for the engagement of disabled people. This guidance could also helpfully set out success criteria which officers can assess if their approach has been genuinely successful in facilitating disabled people's participation, and minimum response-rate targets for disabled people.

3.3.15 The council should also seek to influence other local organisations and groups undertaking consultation and engagement activity, to ensure that they are actively seeking to involve disabled people and hearing their voice in decision making. This is arguably especially important where financial resource will be allocated on the basis of consultation activity – for example, in the commissioning of local provision.

3.4 Planning and public realm

Context

3.4.1 As a recent Select Committee report '*Building for Equality: Disability and the Built Environment*' (2017) highlights, poorly-designed or executed built environment can result in disabled people's lives being needlessly restricted, with knock-on effects for their quality of life and equality²⁰.

3.4.2 Legislation is in place which should, in theory, prevent inaccessible buildings and public spaces being created or retained over time²¹. However, as the Select Committee report notes, "*the burden*

²⁰ Women and Equalities Committee (2017) Building for Equality: Disability and the Built Environment

²¹ <https://www.gov.uk/guidance/equality-act-2010-guidance>

of ensuring that an accessible environment is achieved falls too heavily at present on individual disabled people, an approach that we consider to be neither morally nor practically sustainable”.

3.4.3 The recommendations from this report prioritised the role of central government in providing leadership in improving access and inclusion in the built environment, and making it easier for local planning authorities to follow this lead through revision and clarification of national planning policy and guidance. It also noted that Local Plans should not be found sound without evidence that they address access for disabled people in terms of housing, public spaces and the wider built environment. To support this, the report proposed that the EHRC should investigate the Planning Inspectorate’s compliance with the Equality Act. Planning consent should only be given where there is evidence that a proposal makes sufficient provision for accessibility.

What matters to disabled people?

3.4.4 The key outcome is for the design and maintenance of the public realm to bring the barriers to movement that disabled people face to a level that is as low as reasonably practicable.

3.4.5 The select committee report²² summarises the key issues relating to built environment that disabled people identified as barriers to them being able to access public space equally. These include, but are not limited to: public and commercial buildings without step free access or with poor signage; cars parked across dropped kerbs; ‘A’ Boards and other ‘street clutter’ such as wheelie bins; and the continued use of uneven surfaces such as cobbles, creating slip hazards. See Appendix 8 for more information.

3.4.6 The council recognises the importance of involving disabled people in discussions about decisions that affect them. For this reason, planning officers proactively sought to engage disabled residents in the recent consultation on issues for the Local Plan Review. The primary method for seeking stakeholder views was a series of online surveys. However, the consultation sought to include a particular focus on enabling disabled people in Lambeth to participate. This included supplementary consultation methods for people with learning disability. Representatives from local disabled people’s organisations assisted in the development of appropriate consultation methods.

3.4.7 The consultation was successful in securing more than 120 responses from people who identified themselves as having a disability or living with someone who has a disability. These responses covered a range of issues including, but not limited to: the availability of accessible social housing supply; disabled parking; some accessibility issues relating to local parks and leisure facilities; and accessible transport.

Current approach

Planning

3.4.8 Lambeth, as a Local Planning Authority, is responsible for assessing applications for development that require planning permission. However, it is important to note that some forms of development (known as permitted development) either require no consent at all from the Council or a lesser form of consent known as prior approval.

3.4.9 For development requiring planning permission, the planning process can influence: the overall design of a building and its relationship with the surrounding public realm; the number of wheelchair accessible and wheelchair-adaptable residential units provided (standards defined in Building Regulations); and the number of disabled parking spaces provided.

²² Women and Equalities Committee (2017) Building for Equality: Disability and the Built Environment

- 3.4.10 Some aspects of the accessibility of buildings are also covered by Building Regulations. Any person carrying out building work also needs to ensure that work complies with Building Regulations. This is done through a building control application. Not all building control applications are assessed by the Council: some are completed by independent approved Inspectors. Building Regulations generally apply to new buildings, extension or alteration of existing buildings, and provision of services and/or fittings in a building. They may also apply to certain changes of use of an existing building.
- 3.4.11 Changes of use and residential extensions do not fall within the requirements on accessibility. For all other types of development, the Building Regulations cover the accessibility of buildings and are split into two elements for new housing and non-domestic buildings. In respect of new housing the planning process can require compliance with development plan policies to ensure a specified proportion of new dwellings meet the accessibility requirements of the Building Regulations. New non-domestic buildings or extended buildings of a specific size and incorporation of works have to meet the defined regulations.
- 3.4.12 Under Building Regulations, access to a building containing dwellings will be considered from the pavement into the building, including the types of materials used to pass over. In respect of non-domestic buildings, this will apply from access within the site to the building. Access has to meet the requirements to allow people of various forms of disability to achieve use of the building as an ambulant person, to ensure no impairment to their movement.

Highways

- 3.4.13 Aside from the council's general duties to consider the needs of disabled people when planning and delivering services, s175A of the Highways Act 1980 places a duty, "to have regard to [the] needs of disabled and blind [people] in executing works, etc.". This duty extends to regulating the works of others and for ensuring that the needs of disabled people inform the decision of where to place lamp-posts, bollards, traffic-signs or other permanent obstructions in a street. There is also a requirement for the council to consider the needs of disabled people when considering the desirability of providing ramps at appropriate places between carriageways and footways.
- 3.4.14 As highway authority, the council performs three distinct roles when ensuring that the needs of disabled people are met: design, maintenance and street works. The design of most changes to the existing infrastructure is carried out by engineers trained in this field, with larger schemes being audited by specialist road safety teams. The need to undertake maintenance of the existing infrastructure is undertaken by a team of highway inspectors who walk each footway at least once every six months, organising the repair of any defects that they find to exceed the council's intervention criteria. All street works, whether they are undertaken by the council or a utility company, are inspected by trained street works inspectors for compliance with national codes of practice (which include meeting the needs of disabled people).
- 3.4.15 One highway service is explicitly provided to better meet the needs of disabled people. The council provides a free service to install blue-badge parking bay as close as possible to any resident's home in locations where competition for kerbside parking is high. Because the legal costs of promoting a single parking bay are over £2,000, applications are only processed twice a year.

Summary of existing policy and guidance and the planning policy development process:

- 3.4.16 For development requiring planning consent, the Planning and Compulsory Purchase Act 2004 states decisions must be made in accordance with the development plan, unless material

considerations indicate otherwise²³. The statutory development plan in Lambeth is made up of the Mayor's London Plan 2016 (consolidated with alterations since 2011) and the Lambeth Local Plan 2015.

- 3.4.17 London Plan 2016: introduced a range of new standards with disability and accessibility in mind. These included: new housing and parking standards including the requirement that 90% of new housing should meet a Building Regulation requirement for 'accessible and adaptable housing' and that 10% of new housing to meet Building Regulation requirement for 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The plan includes minimum parking standards to meet the needs of disabled residents and workers; and to future proof development for an ageing population.
- 3.4.18 Policies in the London Plan do not have to be repeated in the Local Plan. Lambeth as Local Planning Authority can make full use of Mayoral guidance in decision-making. The council feels that there is no need for this to be repeated in local guidance.
- 3.4.19 Lambeth Local Plan 2015 includes a dedicated policy on inclusive environments. The principle of safe, inclusive environments is also embedded in the vision and strategic objectives of the document and throughout a range of other policies in the Plan.
- 3.4.20 For more detail on both of these plans, please see Appendix 7. Both documents are currently undergoing review.
- 3.4.21 When they were developed, the London Plan and Lambeth Local Plan were both independently subject to sustainability appraisal (SA). An SA is a systematic process that tests the overall plan, including each policy, against a set of sustainability objectives (environmental, economic and social) that have been agreed for this purpose. Whilst one objective specifically addresses issues of equality and diversity, other objectives (for example access and services, health and well-being, transport) also tease out equality impacts via appropriate prompt questions to help determine achievement of objective. This process also incorporates equality impact assessment and health and well-being impact assessment. The process is iterative and each stage of the process undergoes public consultation, alongside consultation on emerging Plan policies.

The decision-making process for development control:

- 3.4.22 Planning applications received by the council are assessed by a planning case officer against the policies in the London Plan and the Lambeth Local Plan. The Accessible London SPG provides further guidance on best practice in inclusive design and can help in the assessment process.
- 3.4.23 The design of larger schemes is also assessed by the Conservation and Urban Design team, which includes design specialists. Input on transport and parking requirements is provided by the Transport Planning team.
- 3.4.24 It is important that all planning officers have a good understanding of diverse types of impairment and implications for accessibility and other related needs. They have expressed an interest in receiving enhanced disability awareness training, led by disabled people.
- 3.4.25 Officers have also expressed an interest in the possibility of introducing a dedicated section in decision-making reports on planning applications, but will assess this once they have taken part in training.

²³ Material considerations include national planning policy guidance, supplementary planning guidance produced by the Mayor, and supplementary planning documents produced by the Local Planning Authority.

Highway Design and Maintenance

- 3.4.26 Aside from the council's general duties to consider the needs of disabled people when planning and delivering services, s175A of the Highways Act 1980 places a statutory duty, "to have regard to [the] needs of disabled and blind [people] in executing works, etc." This duty extends to regulating the works of others and for ensuring that the needs of disabled people inform the decision of where to place lamp-posts, bollards, traffic-signs or other permanent obstructions in a street. There is also a requirement for the council to consider the needs of disabled people when considering the desirability of providing ramps at appropriate places between carriageways and footways.
- 3.4.27 The council's policy in respect of the design of the public realm is separate to that which applies to its maintenance. In respect of considering the needs of disabled people, all designs should adhere to codes of practice published from time to time by the Department for Transport, supplemented by Transport for London's Streetscape Guidance (last updated in February 2016) and Accessible Bus Stop Design Guidance (last updated March 2017). To ensure that these principles are strictly applied to medium- and large-scale schemes, a member of staff or a consultant engineer trained in these best-practice documents carries out a disability audit prior to scheme approval. However, limited staffing resources mean that these audits are generally only carried out for changes to the public realm costing in excess of £10,000.
- 3.4.28 In terms of maintenance, the needs of disabled people were an important consideration when, in 2008, the council set out what criteria we would apply when determining whether to repair a defect or not. Notwithstanding this, we know that some disabled people can find the defects that we do not repair a hindrance or hazard. This is one reason why we are in the process of reviewing our policy and will be consulting on a revision in October 2018.
- 3.4.29 All works that are carried out on the highway must conform to a DfT Code of Practice entitled "Safety at Street Works and Road Works". These were drafted with extensive input from bodies representing the needs of people with a wide range of impairments. Adherence to the code of practice is a statutory requirement for anyone undertaking works on the highway, and compliance is enforced by the council's team of street works inspectors.

Performance

Planning

- 3.4.30 The Local Plan sets out a range of Key Performance Indicators (KPIs) against which performance will be measured. With the exception of a KPI relating to wheelchair accessible homes, none of these relate specifically to disability.
- 3.4.31 More widely, compliance with planning requirements is assessed through enforcement activity. However, the council does not have the resources to check the compliance of all planning applications.

Highways

- 3.4.32 The council does not undertake formal performance management to determine its degree of success in meeting the needs of disabled people when designing changes to highway infrastructure. Some councils have sought to achieve this by convening a design-review panel that includes representatives of those with impaired mobility or impaired vision.
- 3.4.33 Performance management of highway maintenance is not measured in terms of measuring users' degree of satisfaction, be they disabled or non-disabled people.

3.4.34 The performance of those undertaking street works is measured by checking each site for compliance with the national codes of practice. The method of measurement that the DfT require the council to use does not differentiate between non-compliance relating to items that disproportionately affect disabled people (e.g. missing tap-rails at excavations).

Current service development

3.4.35 The findings from consultation will influence the content of the new Local Plan as it emerges. Policy will be included or amended if it is considered not to be sufficient and/or up-to-date. Account must be taken of policy in the emerging new London Plan, which should not be repeated.

3.4.36 Alongside the Local Plan Review, officers are preparing a new Transport Strategy. The Transport Strategy will incorporate the broad recommendations of the Equality Streets Commission - a Member-led investigation of how the council can better address access and mobility needs for all people in the borough. Exclusion as a result of inadequate access to public transport services, as well as the need to ensure streets are fully accessible and attractive to all, are key emerging themes of the Strategy. Further consultation will include engagement with disability groups and the draft Strategy will be subject to an EIA.

3.4.37 In October 2018, the council will publish its new Highway Infrastructure Management Plan for consultation. This will state the standards that the council will apply to the maintenance of the network. Groups representing people with a wide range of impairments will be individually invited to contribute to this consultation.

3.4.38 Following this, the council will launch its draft public realm design guide. Aside from bringing together the national and regional guidance described elsewhere, this will specify a palette of materials that will provide sufficient points of contrast for people who have impaired vision.

Strengths and weaknesses

3.4.39 There is a raft of guidance which clearly sets out expectations about consideration of accessibility in planning decisions. However, given that responsibility for assessing accessibility does not sit with a single officer, it is important to ensure that all planning officers have good understanding of disability and accessibility considerations, and these are properly considered as part of planning processes. Planning officers have already expressed an interest in receiving disability awareness training, led by disabled people, to help them to further develop their understanding of different impairments and how they can helpfully be taken into account when making planning decisions. Once they have completed this training, officers have also made a commitment to revisiting the templates and processes used in planning decisions, and assessing whether they provide a sufficiently strong framework for considering disability issues.

3.4.40 Good work has been undertaken to strengthen participation by disabled people in consultations about the Local Plan, and plans are in place to undertake similar activity to engage disabled people in future planning and public realm consultations including the Transport Strategy. However, this analysis suggests that it may be of value to explore other ways of strengthening the voice of disabled people in planning and public realm design and public realm decision-making, either via service level engagement or a corporate disability reference group.

3.4.41 Based on this analysis, it is also not clear that the council has 'feedback loops' in place to identify where things may have gone wrong – for example, if developers have met their obligations. Reflecting the messages from the select committee report, it is important that the council tries to find ways of avoiding the onus being on disabled people for raising and challenging accessibility issues. One possible approach suggested by a participant in this process was that the council invites local DPOs and disabled residents to participate in an annual 'walk round' of areas of the borough which

have seen significant development over the previous year, with a view to understanding how far changes meet the needs of disabled residents and flagging any issues that need attention.

3.5 Housing

Context

- 3.5.1 Housing represents one of the biggest challenges facing Lambeth. With over 27,000 households waiting on our housing list, over 2000 households in temporary accommodation and average house prices at over half a million pounds, the council urgently needs to increase the supply of homes, particularly affordable ones, in the borough. For disabled residents, the impact of this may be particularly acute, as they are more likely to be on low incomes and in circumstances which mean that a narrower range of housing options (particularly in the private rented sector) are available to them.
- 3.5.2 Lambeth's responsibilities as a housing authority cover a wide range of areas. It naturally includes the role as a social landlord in terms of managing and maintaining our own housing stock and providing support to our tenants but also includes providing strategic direction, and working to shape local housing provision that better meets the needs of our residents. The housing service does this through the development of its commissioning priorities around: new housing supply; improving the quality of homes across all sectors; housing and better support for vulnerable people; and how housing joins up with other services and partners to deliver the services our residents need. As a result, it has an important role to play in supporting residents with physical and learning disability, and mental health issues.
- 3.5.3 Looking at the profile of the council's current tenants, 8% of identify themselves as having a disability or vulnerability according to Lambeth's housing management database. However, on the basis of more detailed EIAs undertaken as part of estate regeneration activity the council believes numbers to be higher.
- 3.5.4 Whilst disabled people are represented in a range of different types of tenure (see Table 1, Appendix 6), they are much more likely to live in the social rented sector (20.8%, followed by owning their homes outright, 19.2%). About 18.1% live in the private rented sector or live rent free (for example, with parents).
- 3.5.5 Registered Providers (RPs), also known as housing associations, are some of Lambeth's most important partners. However, it is important to note that, as a council, Lambeth does not have any direct regulatory role regarding RPs, as this is a function carried out by the Homes and Communities Agency.

What matters to disabled people?

- 3.5.6 When it comes to housing, there are a range of issues that are particularly important for disabled people, depending on their circumstances. For disabled (and older) people, assistance to stay at home is important. This can be about physical adaptations to properties, as well as care and support. For other disabled people, having more housing options – for example, supported housing, is important. Appropriate housing can be a critical factor in disabled people living independently and with dignity, and being able to participate in daily life.
- 3.5.7 Lambeth housing officers undertake a range of engagement activity to understand the perspectives and needs of council tenants, including through engagement with TRAs, estate visits and housing need assessments. A new approach to resident engagement was agreed by the council's Cabinet in July 2017, and is currently being piloted. A full review will be completed within 18 months. At the centre of this approach is the new 'Lambeth 500+' online consultative platform, free to join for any resident who receives services from Lambeth Housing Management. This allows easier

involvement, without a requirement to attend meeting or give up time on a fixed and regular basis. It is hoped that this will be more appealing to more residents, in particular disabled residents.

The council's current approach

Meeting the housing needs of disabled residents: supply and allocations

Housing allocations

- 3.5.8 Lambeth's housing supply is severely limited. The council receives over 3,000 new housing applications a year, adding to a housing list of over 27,000 households. Lack of churn of existing stock and limited new supply means we are only able to rehouse about 1,200 people a year.
- 3.5.9 However, against this context, the needs of disabled people are prioritised alongside other high-need groups. The degree of priority awarded to disabled people depends on the nature and impact of people's impairments or long-term conditions, and the degree to which rehousing would have a positive impact (see appendix 5 for a breakdown of bands against which people are allocated).
- 3.5.10 Mobility requirements are assessed separately, and include the need for: level access on the ground floor; disability adaptations; and wheelchair-accessible housing. Those with mobility requirements can bid for all properties, but will have higher priority for properties advertised as being suitable for those with mobility needs.
- 3.5.11 Homeless families and vulnerable individuals may be placed in temporary accommodation, pending a more permanent housing option. Lambeth has a "Placement Policy" that prioritises those households with significant impairments or medical needs, including mental health, where their health or welfare may be significantly adversely affected by moving out of the local area.
- 3.5.12 Despite disabled residents being a high-priority group, there is a still high degree of unmet need. Looking at a snapshot from the housing waiting list (April 2017), 82 people needed a wheelchair property; 100 an adapted property; and 934 level access ground floor accommodation. The majority of those needing level access were from the top two priority bands, indicating a sizable group of disabled residents with significant needs who were in need of a property.
- 3.5.13 Properties are allocated via a choice-based lettings system, whereby people are able to 'bid' for council and Housing Association homes that have become available. Where, for whatever reason (including disability) residents find it difficult to use this system, they are able to nominate someone to bid on their behalf.

New Supply / Estate regeneration

- 3.5.14 There are six estates earmarked for estate regeneration, a key part of the council's strategy to deliver more and better homes. There is a commitment through the 'key guarantees'²⁴ that council tenants and resident leaseholders that want to are able to stay living on their estates, including that new homes will be designed to meet disability requirements. Lambeth has committed that aids and adaptations required will be carried out before the resident moves into their new home. There is also a guarantee that the council will provide residents with help to enable their move, with additional support offered if there are special needs or a disability.
- 3.5.15 As required by planning policy, all new homes in Lambeth are built so they are easy to adapt (so-called "lifetime homes") if a resident was to become disabled, and 10% of new large developments are wheelchair accessible. In addition, estate regeneration provides an opportunity to build a small number of bespoke additional homes in response to specific needs.

²⁴ http://estateregeneration.lambeth.gov.uk/key_guarantees

Meeting the housing needs of disabled residents: Adaptations

- 3.5.16 One of the main ways in which the council supports physically disabled people is through our housing adaptations service, which includes provision for stair-lifts, door-widening, through-floor lifts, special WCs and ramps. This service is available to tenants of Lambeth Council. Disabled Facilities Grants (DFG) for aids and adaptations are awarded to owner-occupiers, private rented sector tenants and RP tenants. Initial assessments are carried out by the Community Occupational Therapy (OT), and the Home Improvement Agency (HIA) is responsible for assessing the cost of and arranging the work. They also ensure that the household is getting all the right benefits and other services that would be beneficial to them. Adaptations have also been made as part of the Lambeth Housing Standard programme, a £500 million investment in council housing.
- 3.5.17 For non-council tenants, the process of securing adaptations may be less straightforward. RPs in Lambeth are not required to provide specialist aids and adaptations for their tenants as the council does for its tenants. Although RPs charge higher rents on average than the council, many RPs in Lambeth do not fund adaptations and instead refer their tenants to the council because they have a legal right to do so.
- 3.5.18 Although a private sector landlord can apply on behalf of a disabled tenant, they are often unwilling to put in adaptations for their tenants and it is more difficult to access funding to do so, due to the requirement that the applicant will be in the home for at least five years.
- 3.5.19 Lambeth has been successful in working jointly with health partners to deliver the benefits of the Better Care fund²⁵, and is ranked third highest in the NHS and social care interface database (2017) for achieving positive outcomes funded by the BCF. Disabled Facilities Grants (DFG) make up part of this payment. This fund is intended for local housing authorities to make a range of adaptations to a disabled or elderly person's home to enhance a person's quality of life such as grab rails or ramps and stair lifts to ensure they can access all parts of their homes safely. This will enable people to return to their own homes as quickly as possible after a hospital admission thus reducing pressure on health services. This is all aimed at enabling people to stay in their own homes safely for as long as possible.
- 3.5.20 Data has shown a decrease and delays in adaptations being completed so a home is ready for a client's return. In response to this Housing and Adult Social Care working with the CCG, are undertaking a review of present arrangements in order to deliver services more efficiently and enhance delivery of more adaptations year on year. The initial aim is to increase the number of adaptations approved and completed each year. Work is underway to better understand 'supply side' bottlenecks in the process and what could be done to enhance internal and suppliers' capacity to complete jobs efficiently. A range of proposals have been developed in response to delays.

Special support and projects

- 3.5.21 Floating support is provided for some tenants and those we assist in to the private rented sector to enable them to sustain their tenancies and access a wider range of services and support. This is provided by a contracted third sector organisation commissioned by the council. Floating support clients have specific circumstances or vulnerabilities that mean they may find it more difficult to sustain a tenancy, such as substance misuse or mental health problems. Many will have one or multiple impairments, and long-term conditions.

²⁵ <https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/>

3.5.22 The council has led on, or is involved in, a number special projects or initiatives which aim to address the needs of people with learning disability, physical disability and mental health issues:

- **Housing for people with Learning Disability:** last year, Lambeth carried out an initial assessment to determine the housing need among Adults with Learning Disability known to adult social care services, currently over 600 clients. This identified most common types of unmet needs for the group, and identified supply-side issues the council can helpfully seek to address to help better meet this need.
- **Learning disability service transformation project:** the council commissioned Capita to undertake analysis of how the council can transform its current adults and children's service offer, with the aim of achieving a holistic, all-age disability service more integrated with health. This included analysis of how far people with learning disability were accommodated in appropriate settings.
- **London South East Transforming Care Partnership (TCP):** TCPs are made up of clinical commissioning groups, NHS England's specialised commissioners and local authorities. They work with people with a learning disability, autism or both and their families and carers to agree and deliver local plans for the programme. London South East TCP is driving the transformation in Lambeth, working to ensure that services are making a real difference to the lives of local people; for example, by making community services better so that people can live near their family and friends, and making sure that the right staff with the right skills are supporting people.
- **Residential savings report on physically disabled service users:** This short project aimed to identify any potential savings areas from a group of 34 service users with a physical disability, currently living in long-term residential care.

Performance

3.5.23 The council collects data on a range of housing KPIs, including: resident satisfaction, repairs, estate management, resident engagement, and service quality. Some analysis is undertaken by equality characteristics (for example, of the profile of council tenants, and the profile of the Lambeth 500+), but disability is not captured systematically. In addition, where data on disability is collected as part of regular service interactions, housing officers believe data to be incomplete due to underreporting.

3.5.24 Feedback on performance is of course also available via residents' engagement forums, including the Lambeth 500+, Tenants and Residents Associations and as part of the estate regeneration process. However, it is not clear how representative these are of disabled people's perspectives.

Planned activity

3.5.25 Housing is one the council's top priorities. The Housing Strategy 2017 sets out what actions will be taken to address key housing issues. Alongside this work, the council housing services will continue to pursue more integration with ASC and health, with the aim of achieving better outcomes for some of the residents in the greatest need, ensuring that our residents with physical and learning disability are adequately supported to continue living in their homes, providing other options where required.

3.5.26 Officers also plan to complete a housing needs assessment to cover specialist housing requirements for vulnerable client groups including those with learning disability, rough sleepers and those with physical disability, so that these needs can be taken into consideration when planning new-builds and commissioning services.

Strengths and weaknesses

3.5.27 **Supply and allocations:** The policy and financial context that housing officers are working in is extremely challenging, and whilst the council has stretching targets in place to build new homes, it acknowledges that these will not meet the scale of need in the short term. However, the council is

committed to ensuring that the needs of our disabled residents are met, and have emerging plans in place to understand more about housing needs for these groups, with a view to developing service and supply side responses to this.

3.5.28 Awareness and understanding: Housing services include number of teams who work deliver specialist support – including to people with diverse impairments and long-term conditions. Officers assessed that these staff had good awareness of different impairments and associated need. However, officers felt that there was potential to strengthen awareness and understanding of disability and specific impairments amongst housing officers more widely, and identified that an upcoming service restructure offers opportunity to undertake learning and development with staff when the new structure is in place.

3.5.29 Guidance and good practice: In common with other areas of the business, housing officers identified lack of up-to-date guidance and information on good practice available to staff on disability issues (including specific service delivery needs of people with specific impairments; and facilitating participation of disabled people in discussions and decision-making), and expressed an appetite for this. Much of what housing officers might need is generic and applicable to a range of council services.

3.5.30 Feedback and insight: good recent work has been done to understand the housing needs of disabled people in more depth. However, there may be value in developing a broader understanding not just of demand, but also of what matters to people with different impairments and long-term conditions. Officers identified a range of existing approaches for collecting insight and feedback from residents (through regular satisfaction surveys) that could helpfully be developed – so that they support analysis by disability, but also potentially so that they include questions about service issues or areas where we want to understand more about disabled people’s experience. Representation of disabled people in resident engagement structures should also be strengthened, and it is suggested that this work is undertaken as part of the planned review of the new resident engagement approach.

3.5.31 Leadership: finally, officers recognised that the housing services delivered by the council do not reach all disabled residents. For the profile of disability needs in housing to be strengthened, the council will need to work with partners (including RPs and TMOs) and contractors (for example, those delivering housing repairs) to raise awareness of disability, the needs of people with specific impairments, and to explore opportunities for achieving better outcomes for disabled people.

4. Conclusions, suggested actions/recommendations and next steps

4.1 How can we be better?

This analysis identified good existing activity across the organisation with the aim of increasing workforce diversity and representation of disabled staff; better service delivery to disabled people; and more representative consultation and engagement practice.

However, it is clear that more still needs to be done across a range of areas including:

- Awareness and understanding of disability, including a range of different impairments and long-term conditions: this analysis identified that officers have a better understanding of some types of impairments than others. Activity to raise awareness and understanding should seek to address this, and ensure that all officers understand their equalities duties as they relate to disability, and are also able to think about how to apply these for people with a range of different impairments.
- Collection and use of data to identify disabled residents and staff, and understand their experiences and needs: the council needs make more active efforts to collect equalities data

from staff and residents, including disability, and to use this more consistently in service design and evaluation (including via EIA assessments).

- Consistent consideration of how to address barriers facing disabled people, and advance equality of opportunity for them: the council needs to identify where existing decision-making processes can be strengthened to consider the needs of disabled people, and the impact of our decisions on them.
- Clear expectations about how the council will both meet its statutory responsibilities and also pursue more equal experience and outcomes for disabled service users and staff: the council needs to assess where additional policy or guidance is needed, and how these expectations can be realised.
- Assessment of our practice against an understanding of what constitutes best practice: the council should be striving to ensure that the way it works reflects best practice as it relates to different service areas.
- Development of opportunities for involving disabled residents in service design and decision-making: building on good practice from across the organisation, the council needs to ensure that disabled people are meaningfully involved in service design and decision-making, so that these reflect what is important to disabled people, and are informed by feedback on current performance.
- Consideration of what opportunities are available to us to transform the services we deliver through the use of new technologies.

The council needs to do all of these things for it to be confident that it is delivering services in a way that do not discriminate against disabled people – and if it is to set an example of good leadership on disability issues at local level.

4.2 What does success look like?

To assess and be confident of its success, the council needs to be able to show – drawing on a range of service, complaints, and survey data – that disabled people have an equally positive experience of the council, whether as staff or as residents in receipt of services.

Any programme of work to deliver the recommendations set out in this report would therefore need to be underpinned by a robust performance framework (see 4.3, ‘monitoring’).

This analysis also identified a range of ‘enabling’ factors which need to be in place. These include: strong equalities culture and leadership; strong mechanisms for ongoing engagement and work with disabled residents and DPOs; and better data and insight.

4.3 Recommendations

Based on the findings of this analysis, we propose that the council should implement the following recommendations, so that we are delivering better outcomes in the areas that have been identified as being important to disabled people.

Principle and outcomes	Recommendation (s)
<p>Awareness and understanding</p> <p>All officers and members:</p> <ul style="list-style-type: none"> • understand the social model of disability 	<p>Organisational commitment:</p> <ul style="list-style-type: none"> ➤ The council should renew its commitment to placing the social model of disability at the centre of all policy and decision-making. This commitment could be re-launched, along with the action plan for implementing these recommendations, at an event with disabled people’s organisations (DPOs) and disabled residents. <p>Communications:</p>

<ul style="list-style-type: none"> • fully understand that we have responsibilities to promote the rights of, and equality for, disabled people • have the necessary skill and knowledge to apply understanding of the above in their roles – whether in delivering, designing, commissioning, or making decisions about, services. 	<ul style="list-style-type: none"> ➤ The council should run an internal communication programme to raise awareness and understanding of disability issues. This should include the development of, and signposting to, relevant guidance and good practice (for example, on the needs of people with different impairments). <p>HR and workforce development:</p> <ul style="list-style-type: none"> ➤ The council should assess the existing workforce training and development offer on disability against best practice, and ensure that all training is developed and delivered in conjunction with disabled people. ➤ The council should define mandatory disability training requirements for staff at different levels and different parts of the organisation. This should include senior leadership level. ➤ The council's HR team should monitor take up of disability-related training, and take action to address non-completion. ➤ The council should monitor and evaluate the impact of training and development activity, for example, by tracking impact on service delivery.
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<p>Service delivery:</p> <p>(Equality of) access: Every Lambeth resident should be able to access council services without difficulty.</p> <p>(Availability of) appropriate services: Services are available which meet the needs of disabled people.</p> <p>Equal treatment: Everyone is treated equally.</p> <p>Independence and dignity: Every Lambeth resident will be treated as an individual, given choices and helped to take control over their own lives.</p>	<p>ICT:</p> <ul style="list-style-type: none"> ➤ The council should continue to explore the potential of new technologies to improving access to, and experience of services for disabled users. <p>Decision-making:</p> <ul style="list-style-type: none"> ➤ The council should identify where policies and processes might be revised to prompt consideration of disability and accessibility issues. This should include consideration of what guidance can be provided to officers and members completing and assessing EIAs, and service specific decision-making processes where we anticipate that this may have a positive benefit (e.g. planning). <p>Involvement in service design and improvement:</p> <ul style="list-style-type: none"> ➤ The council should ensure that disabled people are actively involved in service design and improvement, so that there is proper consideration of what matters to them, including equal access; services that are appropriate to them and meet their needs; and equal treatment. Expectations about what level of involvement is expected for different types of decision should be set out in a set of standards, which include specification of when coproduction is essential (e.g. for any services which disproportionately affect disabled people and their life chances). Whether these standards have been properly adhered to in service design or improvement will be monitored through the EIA assessment process. ➤ The council should ensure that all services monitor satisfaction of disabled service users, and compare these to non-disabled service users, taking action to address any inequalities in service satisfaction.
<p>Participation and representation: Everyone should have the chance to have a say in decisions that affect them.</p>	<ul style="list-style-type: none"> ➤ The council should ensure that new approach to consultation and engagement includes specific consideration of how to encourage participation by disabled residents. ➤ The council should set targets for disabled people's participation against which consultation and engagement activity should be assessed. ➤ The council should work with local disabled people's organisations to establish a permanent pan-disability reference group for the borough. One of the primary roles of this group would be to strengthen the voice of disabled residents and to facilitate their involvement in decision-making, service design and development.

<p>Equality of Opportunity: Everyone has an equal chance to make the most of their lives and talents.</p>	<ul style="list-style-type: none"> ➤ The council should, in all organisational strategy and transformation, look for opportunities to support better life outcomes for disabled residents and staff.
<p>Cross cutting recommendation: leadership</p>	<p>Officers:</p> <ul style="list-style-type: none"> ➤ All senior leaders should complete disability awareness training. ➤ A Leadership Network session themed on disability should be delivered prior to implementation of these recommendations. <p>Members:</p> <ul style="list-style-type: none"> ➤ All Cabinet members should complete disability awareness training. ➤ The Leader's office should establish a cabinet member lead for disability.

4.4 Next steps

4.4.1 Assuming Cabinet agrees the recommendations set above, officers will develop an implementation plan. This should prioritise staff training and development activity before any changes to service delivery, so that learning from this informs the delivery of the remaining recommendations.

4.4.2 It is anticipated that it will be possible to complete the majority of required activity in the next year. However, the council expects to assess what needs to be done to sustain achievements and progress towards the end of the implementation period.

Monitoring

4.4.3 It will be important that officers are able to measure the impact of activity stemming from recommendations on an early and ongoing basis, to assess the effectiveness and impact of implementation activity, and to generate a sense of achievement and forward momentum. For this to be possible, work needs to be prioritised to improve monitoring of disability across the organisation, alongside other protected equality characteristics.

4.4.4 A detailed monitoring plan will be developed as part of the implementation plan. Officers currently anticipate that this will include:

- The definition of key activity milestones and outcomes; and,
- The identification of relevant KPIs for activity resulting from implementation of the recommendations. These will include any existing organisational KPIs relating to disability. Other relevant KPIs may include:
 - % of council workforce declaring a disability (HR data);
 - Disabled staff satisfaction measures (Staff survey): for example, satisfaction levels among disabled respondents are at least equal to those of non-disabled respondents;
 - Take-up of disability-related training and development opportunities (HR data);
 - Disabled resident satisfaction measures (Residents' survey data): for example, satisfaction levels with services among disabled respondents are at least equal to those of non-disabled respondents;
 - Participation and engagement: for example, the response rate from disabled residents are at least equal to those of non-disabled residents (Consultation and engagement data); and,
 - Participation and engagement: for example, satisfaction levels with the extent and methods of involvement among disabled residents are at least equal to those of non-disabled respondents (Residents' survey data).

4.4.5 Officers propose that, in line with wider Equality Commission activity, monitoring of implementation of recommendations is undertaken quarterly and is reported to Cabinet Member for Equalities on a regular basis, and that progress is shared with residents through a range of communication channels (including the Equality Commission webpage).

5. Finance

5.1 There are no immediate financial implications as a result of this work, however implementation of these recommendations will require a commitment of staff time. At this stage it is anticipated that the more substantial commitment of time needed would come from colleagues in Corporate Resources, specifically: policy and partnerships; HR; consultation and engagement; and communications (internal). It is anticipated that implementation of these recommendations should be coordinated by a lead officer, and would need a commitment of c. two days a week for the next 9-12 months.

5.2 There will be no call on capital or revenue funding over and above that which is required by services to deliver the council's borough plan priorities.

5.3 In the event that future activity related to this work is anticipated to have a financial impact, such decisions will be brought to Cabinet and Management Board for decision.

6. Legal and Democracy

6.1 This proposed key decision was entered in the Forward Plan on 9 February and the necessary 28 clear days' notice has been given. In addition, the council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called in during this period, it cannot be enacted until the call-in has been considered and resolved.

6.2 Section 149 of the Equality Act 2010 requires the council in the exercise of its functions to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and other form of conduct prohibited under the act; and
- (b) advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic (age, disability, gender re-assignment, pregnancy and maternity, race, religion and belief, sex, and sexual orientation) and persons who do not share it.

6.3 Having regard to the need to advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of the persons who share that characteristic that are different from the needs of persons who do not share it; and,
- (c) encourage persons of the relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- 6.4 Compliance with the duties in section 149 of the Act may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.
- 6.5 The Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken - that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.
- 6.6 In the case of *Moseley –v- Haringey*, the Supreme Court endorsed the ‘Sedley criteria’ as to what is fair consultation. These are:
- Consultation must be at a time when proposals are still at a formative stage;
 - The proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
 - Adequate time must be given for consideration and response; and,
 - The product of consultation must be conscientiously taken into account.

7. Consultation and co-production

- 7.1 Much engagement with key stakeholders relevant to disability took place via a range of different channels during the Equality Commission’s engagement activity, as part of which more than 300 residents and stakeholders participated. The output of this engagement was key in influencing the focus of this analysis. Activity across the borough included: public engagement events; resident group-specific engagement sessions and focus groups; formal submissions to the Commission by key partners and stakeholders; a council staff engagement session; and an online survey.
- 7.2 Opportunities to feed into the Commission were published by the council's communication team, but activity was also undertaken to ensure residents who might not engage via online channels such as disabled people were aware of the opportunity to take part.
- 7.3 A specific engagement session for disabled residents was held at ‘WeAre336’, and satellite engagement sessions were also held with blind/partially-sighted residents, deaf residents and residents with learning disability.
- 7.4 A reference group was established to inform the development of this analysis, and provide external challenge. This had the purpose of encouraging discussion, debate and consideration on our early thinking about recommendations of this analysis. Members included representatives from a number of Lambeth disability partner organisations and residents with diverse impairments. The council will be asking the reference group to help shape and oversee implementation of the recommendations.
- 7.5 A wider engagement event will take place at a later date to focus on the implementation of recommendations of the review.

8. Risk management

- 8.1 A key message from the engagement undertaken as part of the Commission and as part of this analysis is that the value of this work will be judged on what is achieved as a result of it. Not delivering on the recommendations therefore carries the risk of loss of trust on the part of residents and reputational damage for us as an organisation. As an organisation, the council is facing a range of pressures, including significant financial challenge. It will be important that the implementing recommendations of this analysis remain an organisational priority, even where there are competing pressures. Similarly, implementation of recommendations, whilst it does not have significant extra financial costs associated with it, does require officer time. There is a risk that any future restructures and downsizing affecting teams or services delivering recommendations may make it more challenging to undertake work needed.

9. Equalities impact assessment

- 9.1 The Equality Commission identified a range of significant inequalities and disadvantage experienced by disabled residents across a range of different areas. In response, it made a number of detailed recommendations about what the council and other partners can do to help address these inequalities, as well as committing to this piece of work, which focuses on five council service areas identified as being particularly important to disabled residents based on feedback from engagement.
- 9.2 All of the recommendations made as a result of this analysis are aimed at reducing inequalities affecting disabled staff and residents. Disabled staff and residents will be involved in the implementation of the recommendations via the council's disabled staff forum, and a reference group made up of representatives from local DPOs and of disabled residents with a range of different impairments. The council expects the impact of this activity to be wholly positive.
- 9.3 Plans for monitoring the impact of implementation are set out in section 4 of this report. These will seek to ensure that implementation achieves its objectives. In addition, officers propose that wherever appropriate, monitoring processes are put in place to ensure that any services or support delivered as a result of implementation, do not disadvantage any groups of Lambeth residents.

10. Community safety

- 10.1 None

11. Organisational implications

Environmental

- 11.1 None

Staffing and Accommodation

- 11.2 None.

Procurement

- 11.3 None.

Health

- 11.4 The evidence base for the review was taken from the Equality Commission findings (which included the Cumulative Equality Impact Assessment undertaken in 2016 to inform the development of the Future Lambeth borough plan). This drew on a range of health related data sources, particularly the Joint Strategic Needs Assessment (JSNA).

11.5 The Equality Commission identified significant inequalities and disadvantage experienced by disabled people across a range of different areas. Although it did not focus on health access, the focus areas of this analysis which include: access to housing, customer services and public realm; employment opportunities and having a voice in public life are all social determinants of health. Understanding and addressing areas for improvement in these service areas will have a positive impact on health outcomes for all Lambeth's residents.

12. Timetable for implementation

Action	Date
Completion of action plan	May 2018
Commence implementation	June 2018
Six months progress report	January 2019
One year on report	January 2019

Audit Trail				
Consultation				
Name/Position	Lambeth directorate / department or partner	Date Sent	Date Received	Comments in paragraph:
Councillor Lib Peck	Leader of the Council and Chair of the Equality Commission	16/02/18		
Councillor Sonia Winifred	Cabinet Member for Equalities	16/02/18		
Councillor Jackie Meldrum	Cabinet Member for Adult Social Care	16/02/18	16/02/18	3.4
Jackie Belton, Strategic Director	Corporate Resources	06/02/18		
Helen Charlesworth-May, Strategic Director	Children, Adults & Health	12/02/18		
Sue Foster, Strategic Director	Neighbourhoods & Growth	19/02/18		
Annie Hudson, Strategic Director	Children's Services	16/02/18		
Christina Thompson, Finance	Corporate Resources	16/02/18		5.
Martin Crump, Finance	Corporate Resources	16/02/18	19/02/18	
Dean Shoesmith, Director	HR, Corporate Resources	01/02/18	01/02/18	3.1
Tracey Connage, Head of Organisational Development	HR, Corporate Resources	31/01/18	15/02/18	3.1
Gregory Carson, Legal Services	Corporate Resources	16/02/18	19/02/18	6.1 – 6.5
Henry Langford, Democratic Services	Corporate Resources	16/02/18	09/03/18	

Report History	
Original discussion with Cabinet Member	11 November 2017
Report deadline	07.03.18
Date final report sent	09.03.18
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	Yes
Date first appeared on forward plan	09.02.18
Key decision reasons	Meets community impact test
Background information	Lambeth Equality Commission Report
Appendices	Appendix A: Equality Act 2010 Appendix B: Disability related recommendations from the original Equality Commission report Appendix C: The social model of disability Appendix D: Council customer service standards Appendix E: Customer Services Guidance

	Appendix F: Customer services- specialist disability services Appendix G: Council housing and disability – further information Appendix H: Planning and public realm
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