

The Disability Equality Duty (DED) came into force on 4th December 2006. The Duty requires public bodies such as educational establishments, Local Authorities and Primary Care Trusts to pay 'due regard' to the promotion of Disability Equality throughout all aspects of their activities. This factsheet gives a brief overview of the general duty. Most public bodies also have specific duties and will therefore have produced a Disability Equality Scheme explaining how they are taking action to promote disability equality. The involvement of disabled people is central to this.

Duty to promote Disability Equality. When carrying out their duties, Public Authorities must have due regard for the need to:

- Promote equal opportunities
- Eliminate unlawful discrimination
- Eliminate disability related harassment
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled people in public life

Equality & More Favourable Treatment. Sometimes you don't achieve equality by treating people equally. In meeting the Duty you can treat disabled people more favourably than non disabled people.

Disability Equality – You Hold the Key. The Disability Equality Duty is a tool for tackling 'institutionalised discrimination' and changing the culture of your organisation. Responsibility lies with individuals and the organisation as a whole to get it right. The social model of disability focuses on removing existing barriers. Get in touch with us for more information and practical tips on barrier removal.

Eliminating Discrimination. There is a Duty to be proactive and anticipate the needs of disabled people. For example, you could review whether you need to have a policy requiring a detailed medical questionnaire to be completed in advance by all applicants for employment.

Promoting Positive Attitudes:

- Organisational culture has to change
- Avoid assumptions, misconceptions and stereotyping about disabled people
- Lack of awareness is a barrier to positive attitudes

Language use needs to be appropriate. Contact us for a list of terminology that disabled people are comfortable with.

Involving Disabled People

- True involvement is more than consultation
- It is focused and joined up
- Who are you going to involve and how? – contact us for a list of organisations of disabled people in your area.



Achieving the Five

It is essential to mainstream disability equality so that it becomes the norm. This involves:

- Leadership
- Training
- Partnership
- Procurement
- Resources

Benefits - the most efficient and effective organisations integrate equality & diversity into their business culture.

- They attract & retain able staff
- They have enhanced staff morale, productivity and management
- They make effective use of resources
- They meet the requirements of audit & inspection bodies better

Enforcement of the General Duty:

Any person can apply to the High Court for judicial review of a public body they feel is failing to comply.

Your Chief Executive could end up in Prison if they don't comply!



Further Information:

Do the Duty (www.dotheduty.org) is the Disability Rights Commission's (DRC) website on the Disability Equality Duty. It includes an overview and brief leaflet; more detailed Codes of Practice; Local Government survey information; conference dates and frequently asked questions. Specific guidance for different services and for disabled people who want to be involved is planned in the near future. The Commission for Equality and Human Rights will take over from the DRC in October 2007.

DRC Helpline: **08457 622 633** (voice) **08457 622 644** (textphone)

Lines are open between 8am and 8pm, Monday to Friday

Contact Us: Elaine Astley, Independent Employment Advocacy Centre

0161 273 5412 (voice), **0161 273 5727** (answerphone minicom),

Email: advocacy@breakthrough-uk.co.uk.

Further good practice information is available online at www.breakthrough-uk.com.