

# Accounts Commission

**Disability Equality Scheme: 2006 – 2009**



## **Introduction by the Chair**



The Accounts Commission is keen to use its position to contribute to the fight against discrimination of disabled people. We believe our role gives us the opportunity to promote disability equality, not just to local authorities but to the Scottish public. Audit Scotland will be working with us, and on our behalf, to review all our policies and activities and I hope that this process will raise our awareness of disability issues further and help us to keep improving the way we do things.

**Alastair MacNish**



# Introduction

## Background

1. The Accounts Commission is a statutory, independent body which, through the audit process, assists local authorities, police and fire boards in Scotland to achieve the highest standards of financial stewardship and the economic, efficient and effective use of their resources. The Commission has four main responsibilities:
  - securing the external audit, including the audit of Best Value and Community Planning
  - following-up issues of concern identified through the audit
  - carrying out national performance studies to improve economy, efficiency and effectiveness in local government
  - issuing an annual direction to local authorities which sets out the range of performance information they are required to publish.
2. The Commission secures the audit of 32 councils and 40 joint boards (including the police and fire services). Local authorities spend over £14 billion of public funds a year. Together with Audit Scotland and the Auditor General, they ensure that the Scottish Executive and public sector bodies in Scotland are held to account for the proper, efficient and effective use of public funds.

## Accounts Commission Members

3. The Accounts Commission can have between six and 12 members appointed by Scottish Ministers. The Accounts Commission does not employ any staff but Audit Scotland supports the Commission in its work.

## The Disability Equality Duty

4. The Disability Discrimination Act (DDA) 1995 has been amended by the DDA 2005 to place a duty on all public sector authorities to promote disability equality. The legislation means all public bodies must be proactive in ensuring that disabled people are treated fairly. This new Disability Equality Duty (DED) is about promoting disability equality and embedding equality for all, including disabled people, into our culture in practical and demonstrable ways. This means including disabled people and disability equality in everything we do.



5. The duty has two elements – a general duty and a specific duty. The general duty requires all public authorities to have due regard to the need to:
  - Promote equality of opportunity between disabled persons and other persons
  - Eliminate discrimination that is unlawful under the Act
  - Eliminate harassment of disabled persons that is related to their disabilities
  - Promote positive attitudes towards disabled persons in public life; and
  - Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.
6. The specific duty requires the creation of a disability equality scheme and an action plan. The Accounts Commission is subject to both elements of the duty.
7. The duty is based on the 'social model' of disability which recognises that at present disabled people do not have the same opportunities or choices as non-disabled people. Nor do they enjoy equal respect or full inclusion in society on an equal basis. The poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers.

## **Leading and Co-ordinating the Approach to the DED**

8. The Accounts Commission as a whole has overall responsibility for the Disability Equality Scheme. The Chair of the Commission has worked with Audit Scotland to produce this scheme. Responsibility for implementation of the scheme rests with Audit Scotland, specifically with the Director of Corporate Services, who chairs Audit Scotland's Diversity and Equality Working Group (DEWG).
9. The DEWG involves representatives from across Audit Scotland, including the staff trade union. The role of the DEWG is to develop, monitor and review progress against the equality duties, and report on progress to the senior management team and the Accounts Commission.



# Policies and Activities

10. The Accounts Commission recognises that if disability equality is to be improved then it is essential that:

- our policies and activities do not discriminate against disabled people; and
- Consideration of disability is fully embedded within the way policies are developed and activities carried out.

11. The Accounts Commission's key policies and activities are as follows:

- Securing the financial audit of local government
- Securing best value audits
- Securing national public reporting studies
- Specifying Statutory Performance Indicators (SPIs)
- Approving the Code of Audit Practice
- Monitoring the quality of audit work.



# Involving Disabled People

12. At the heart of the DED specific duty is the requirement to involve disabled people in producing the Disability Equality Scheme and action plan. The Commission recognises that to really promote disability equality and eradicate discrimination, disabled stakeholders must be involved in not only identifying potential improvements but also in reviewing the progress and impact of those improvements. Involvement is a long-term process and the Commission are fully committed to this.
13. Audit Scotland is developing an approach to involvement with disabled stakeholders on the Commission's behalf. Audit Scotland are aiming to involve people with a range of different types of disability. So far, an internal involvement forum has been established with Audit Scotland staff, and there has been some early engagement with external stakeholders. As the DED recognises, it is impossible to involve people with every type of disability, however, Audit Scotland will continue to work towards extending involvement to include as many as possible.

## Involvement

14. The Accounts Commission's role is to hold local authorities to account for their performance on behalf of the Scottish people. 1 in 5 people in Scotland have a disability and we see a key role for disabled people in informing how we carry out and report on our work. However, the Commission recognises that many disabled people may not be aware of our role or of our work. Audit Scotland has developed a two-fold approach to addressing this and involving disabled people in the creation of the Commission's scheme— involvement of Audit Scotland's staff disability involvement group and involvement of disabled stakeholders from members of the public.
15. Members of the staff involvement group were involved in the creation of the Commission's scheme in two main ways:
  - carrying out an assessment of our policies and activities (in the longer term external stakeholders will also become more fully involved in this aspect)
  - commenting on the draft scheme via email.
16. Given low levels of public awareness and knowledge of the Commission, asking disabled stakeholders from the general public to fully assess our policies and functions is not a realistic option in the short-term. Therefore for immediate meaningful involvement, Audit Scotland focused on the most publicly noticeable aspects of the Commission's role by asking three disabled stakeholders with an interest in the Accounts Commission about our reports and our web pages. In one-to-one meetings, they were each asked to read parts of a report and/or to try and access information on the



web pages. Their comments on, for example, accessibility were then collated and fed into the assessing impact section and the action plan.

## Taking involvement further

17. We know that to make involvement with stakeholders effective, we need to invest in disabled people with an interest in our work to explain how we do our work and why. Given the challenges with involvement described above, it is important to attract disabled people from a range of backgrounds and work with them over a period of time to develop their capacity to engage fully with the issues. They will then be able to become fully involved in the processes of reviewing policies, assessing impact and monitoring progress.
18. To extend the numbers of disabled stakeholders involved, the range of their disabilities and the scope of their involvement, specific actions are laid out in the action plan with the general approach being two-fold:
  - Audit Scotland will recruit a pool of members of the public with whom they will work to develop an understanding of Audit Scotland and the Accounts Commission
  - work with other public sector bodies (and other relevant organisations, such as private audit firms) to identify disabled staff in their organisations who would be willing to become involved in assessing the more technical aspects of our work (such as audit practice).



# Assessing the impact of policies and activities

19. The Accounts Commission is committed to valuing and promoting diversity. We recognise that there is a need to review our policies and functions both to ensure that they do not unintentionally disadvantage disabled people, and to identify where we can better promote equality of opportunity. To fully assess all aspects of the Commission's work, Audit Scotland will undertake impact assessments of our policies and activities.
20. In order for maximum value to be gained from the impact assessment process, Audit Scotland will be assessing our policies and activities against all the equality strands (both those in law and those forthcoming). We understand that the DRC has concerns about this approach – that there is potential for disability issues to become 'lost' amid the other strands. However, Audit Scotland will put in place mechanisms to ensure that any issues particular to one strand are properly addressed in the impact assessment process. Audit Scotland's DEWG has recently agreed to adopt the Scottish Executive's Impact Assessment Tool and will seek input from their internal involvement group to help tailor the Tool to our needs and circumstances.
21. Early involvement with disabled stakeholders has helped to assess which of our policies and activities are most relevant to the general duty to promote disability equality. Involvement has also helped to prioritise, in terms of disability, the programme of impact assessment reviews.
22. As discussed in the previous section, members of Audit Scotland's staff disability involvement group assessed each of the Commission's policies and activities. They then rated them for impact on disabled people and importance in relation to other policies and activities. The scale used for impact was – no impact on disabled people, a little impact, some impact, and substantial impact on disabled people. The scale used for importance of the policy or activity was - not very important, reasonably important, and very important. The scores for each of these were then mapped against each other to identify the disability priorities for impact assessment. Appendix 1 shows the full results.
23. Audit Scotland will place these disability priorities alongside the priorities for other strands to determine the final priorities for impact assessment. As mentioned previously, mechanisms for ensuring that no important issues are missed will be developed through the action plan.
24. Undertaking full impact assessments can be resource intensive. To ensure that Audit Scotland and the Commission get as much out of the process as possible, each assessment will be undertaken by a small group of trained participants. This group will also be fully supported throughout the assessment process. The group will be made up from a combination of those responsible for the



policy/activity; members of the DEWG group; participants from the internal/external involvement groups; and other potential equality participants.

25. We are keen that disabled people are involved where appropriate due to the knowledge and experience they will bring to the process. We do bear in mind, however, the DRC's advice on involvement remaining relevant and proportionate.
26. The impact assessment process will span the length of the scheme, therefore we are keen that the process starts as soon as is practicable. Audit Scotland are aiming to conduct a pilot impact assessment within the next 3-6 months and then to roll out the programme after a review of the pilot.



# Mapping our performance

27. To measure the Commission's progress on improving disability equality, we must, with the help of Audit Scotland, introduce information-gathering arrangements and report regularly on progress. The Accounts Commission does not employ any staff, rather members are appointed by Scottish Ministers. Responsibility for recruitment, development and retention therefore lies with the Scottish Parliament.

## Measuring progress

28. The involvement of Audit Scotland's internal involvement group and disabled stakeholders from the general public is helping to identify key actions and priorities for the impact assessment programme of our policies and activities. This work has fed into the action plan. Audit Scotland's DEWG will monitor progress on the actions with the help of these groups and will feed this back to the Commission for review.
29. The Commission will use mechanisms developed by Audit Scotland to help assess whether our performance on disability equality is improving. Future discussions with Audit Scotland and their involvement groups about the potential impact of our work on disabled people will help to prioritise actions and develop ways of measuring progress.

## Using the information

30. As mentioned in each of the previous sections, the information that Audit Scotland gathers on our behalf will allow us to meet our legal obligations and to measure progress on our action plan and disability equality in general. Audit Scotland have put in place an action on our behalf to develop appropriate mechanisms for measuring progress and impact.



# Monitoring and Review

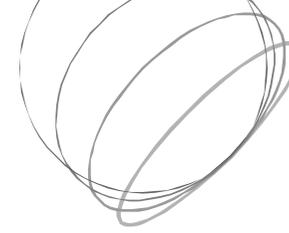
31. The Accounts Commission will use Audit Scotland to monitor and review specific progress on the action plan and our performance more generally. Audit Scotland will then feed this information back to the Commission who will then review it. Audit Scotland's DEWG group in conjunction with the involvement groups will monitor and review progress on our action plan at its regular bi-monthly/quarterly meetings. The whole scheme and action plan will be reviewed and updated in three years.
32. The Accounts Commission will publish an annual monitoring report on disability which will set out:
  - Progress on actions taken in the past year
  - The results of information-gathering
  - What has been done with the information collected.
33. We will publish a revised scheme in December 2009.

## Assessing progress in other organisations

34. Public bodies have a statutory duty to encourage equal opportunities. As part of this, Audit Scotland, on behalf of the Accounts Commission, currently addresses equality issues in the bodies audited in a number of ways. As part of the impact assessment process these approaches will be reviewed and any improvements identified.
35. The Local Government in Scotland Act 2003 introduced a statutory duty of Best Value and Community Planning on councils. The definition of Best Value includes the encouragement of both equal opportunities and the observance of the equal opportunities requirements as defined in the Scotland Act 1998.
36. Within Local Government, the following audit approaches encompass equality issues:
  - Statutory Performance Indicators
    - Audit Scotland (on behalf of the Accounts Commission) specifies statutory performance indicators (SPIs) which all councils, police forces and fire brigades must publish. There is a specific indicator relating to disability. Consultation remains ongoing to ensure that these measures remain relevant.
  - Public Reporting Studies

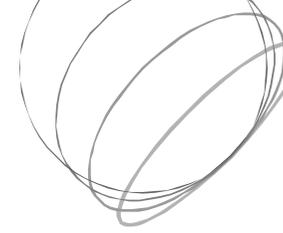


- Equalities issues are explicitly considered at the early scoping stages of every study, when a formal study brief is prepared. Every brief is then sent for comment to a range of stakeholders, including the main equalities bodies.
- Audit Scotland, on behalf of the Accounts Commission, are also currently undertaking a study within the area of equalities, examining the impact of the race equality duty on local government service delivery. The study is due to be published in Winter 2007 and is expected to have findings that will be transferable to the other equality strands.
- Best Value Audits
  - In 2004, we started a programme of Best Value Audits, which are designed to ensure that councils have made proper arrangements for Best Value and are complying with their Community Planning duties under the Local Government in Scotland Act 2003. All 32 councils will be audited over a 3 - 4 year period. Police and Fire authorities are also subject to Best Value audits.
  - The Statutory Guidance on Best Value provides ten major criteria, one of which is equal opportunities arrangements. Councils self-assess their performance against all ten Best Value criteria and the audit process checks evidence in detail against a targeted selection of these. In some councils the audit takes an overview of equalities performance; in others a more detailed audit will be undertaken.



# Appendix 1 – Prioritising our policies and activities

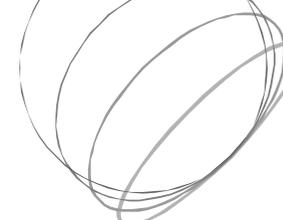
	<b>SUBSTANTIAL IMPACT</b>	<b>SOME IMPACT</b>	<b>A LITTLE IMPACT</b>	<b>NO IMPACT</b>
<b>VERY IMPORTANT</b>	Public Reporting Studies	Securing the audit of governance, financial stewardship and performance of local authorities, police and fire bodies		
	Best Value audits	Media enquiries/contacts		
	SPIs			
<b>REASONABLY IMPORTANT</b>		Press releases		
		Media interviews		
		Best value audit - public hearings		
		Meetings - internal and external		
<b>NOT VERY IMPORTANT</b>		Internal communications		



# Appendix 2 - Disability Equality Scheme Action Plan

This Action Plan sets out the specific steps Audit Scotland on behalf of the Accounts Commission to improve disability equality

Action	Explanation	Outcome	Responsibility and timescale
Expand membership of the external involvement group, work with the group to build up their understanding of our work and develop their programme of involvement	<p>Requirement of the DED to involve disabled people in progressing disability equality.</p> <p>Need to implement disability equality in the best way for disabled people.</p> <p>Recognition that many people do not fully understand the role or work of the Accounts Commission.</p>	<ul style="list-style-type: none"><li>• An external group that have a range of disabilities</li><li>• The group will have an understanding of our work</li><li>• In the longer term, the group member's views and experiences strongly influence decisions and priorities.</li></ul>	<p>Director of Corporate Services, Audit Scotland</p> <p>Expand membership and begin capacity building work by Easter 2007.</p> <p>Full involvement by December 2007.</p>
Finalise programme of impact assessments	<p>Impact assessments needed for all relevant policies and activities over the next three years, starting with the highest priority ones identified with the involvement groups.</p> <p>Audit Scotland will develop the approach and undertake the assessments, using staff that are trained and supported to ensure a systematic and consistent approach.</p>	<ul style="list-style-type: none"><li>• A 3-year programme of impact assessments based on priorities</li></ul>	<p>Director of Corporate Services, Audit Scotland</p> <p>Easter 2007</p>



Action	Explanation	Outcome	Responsibility and timescale
Complete planned programme of impact assessments and report on results of assessments annually	Impact assessments needed for all relevant policies and activities over the next three years, starting with the highest priority ones identified with the involvement groups	<ul style="list-style-type: none"><li>• A formal, annual report giving the results of impact assessments undertaken in the previous year, and actions taken or planned as a result</li></ul>	Director of Corporate Services, Audit Scotland  First report early 2008
Investigate and set out methods for assessing whether the outcomes have been achieved for each action in the action plan and what the impact is on disabled people.	To assess progress on the action plan, outcomes have been identified but mechanisms must be put in place to evidence whether these have been achieved and what impact they have had	<ul style="list-style-type: none"><li>• A method identified for measuring each action outcome and assessing its impact</li></ul>	Director of Corporate Services, Audit Scotland  Summer 2007
Produce an annual review of progress on the disability equality scheme and a revised action plan.	Requirement of the DED and a means of reporting progress to all interested parties.	<ul style="list-style-type: none"><li>• A formal, annual assessment of progress and a revised action plan, considered at and Accounts Commission meeting</li></ul>	Director of Corporate Services, Audit Scotland  First review early 2008
Formally review the Disability Equality Scheme after 3 years and publish an updated scheme and action plan	Requirement of the DED and a means of keeping the scheme up-to-date and relevant.	<ul style="list-style-type: none"><li>• A formal review of the scheme by Audit Scotland</li><li>• An updated scheme published by December 2009</li></ul>	Director of Corporate Services, Audit Scotland  December 2009

