

Policy Development

Central Government Guidance Bulletin October 2006



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1. The purpose of this guidance bulletin

This guidance bulletin, the second in the series of briefings on the Disability Equality Duty (DED), is intended for senior civil servants, policy leads and senior strategists in all central government departments, their agencies and non-departmental public bodies with a broad policy remit.¹

The bulletin summarises the Disability Equality Duty which came into force on 4 December 2006. In particular, it addresses issues relating to the legal duty for the promotion of disability equality in the context of policy development. The bulletin builds upon generic guidance issued by the Office of Disability Issues (ODI).²

In its guidance to civil servants, the ODI stresses the central importance of research and policy making to the disability equality agenda. Annex C of the guidance provides useful examples of the strands of the general duty, indicating what steps officials in policy teams will need to consider taking to ensure that policies are informed by disability equality principles, and contribute to their effective promotion.

¹ Other briefings in this series for central government on the DED are available to download at www.drc.org.uk/employers_and_service_provider/disability_equality_duty/government.aspx

² ODI (2006), 'Disability Equality: A Priority for All. Guidance for civil servants on the duties imposed by the Disability Discrimination Act', www.officefordisability.gov.uk/docs/disability-equality.pdf

2. Introduction

The DED is a legal duty contained in the Disability Discrimination Act (DDA) 1995 (as amended by the DDA 2005). The duty is of key importance to those within government who are responsible for both research and policy development.³

Disability equality is about far more than the physical environment or the logistics of delivering services. If the development of a new policy ignores or neglects the implications for disabled people, this omission will have significant knock-on effects on equality for disabled people right through the delivery of the policy. Also a major opportunity will have been missed to contribute to addressing the inequality experienced by disabled people.

Social model

The DED reflects the social model of disability. This takes the approach that the things which stop or hinder a disabled person from doing something are the barriers that society has put in place or chosen to ignore. It is society that disables a person, not their impairment.

The DED takes the social model and applies it to the way the public sector operates. It does this by recognising the negative impact on disabled people of a society designed by and for non-disabled people. It also recognises that active steps are needed to promote equality for disabled people.

One such step is for policy-makers to recognise that government policies have the potential to create significant barriers to the achievement of greater disability equality if they do not take account of disabled people and their needs and aspirations as citizens.

³ For guidance on the implications of the DED for research specialists see some of the other briefings in this series at [www.drc.org.uk/employers and service provider/disability equality duty/government.aspx](http://www.drc.org.uk/employers_and_service_provider/disability_equality_duty/government.aspx)

This new duty is not only relevant for those involved in developing new policy but also for those working on:

- **policy evaluation**
- **policy review**
- **the production of guidance**
- **other areas such as producing briefings for ministers.**

3. What is the Disability Equality Duty?

There is a general duty which applies to all public authorities. There are also additional specific duties to support the many public authorities (including all government departments) in achieving the outcomes required by the general duty.

The general duty

The basic requirement for a public authority, when carrying out its functions, is to have due regard to the need to do six things:⁴

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the DDA
- eliminate harassment of disabled people that is related to their disability
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to meet disabled peoples needs, even if this requires more favourable treatment.

The general duty applies to all public authorities, apart from a small number who have specific exemptions.⁵

⁴ 'Due regard' means that authorities should give due weight to the need to promote disability equality in proportion to its relevance.

⁵ Exemptions relate to judicial independence, national security, and the constitutional position of Parliament.

The specific duties

Many public authorities will also have to comply with a set of specific duties which will help them to meet their overall general duty. A list of these public authorities is contained in the regulations, which set out the duties, and can be found in the DRC Statutory Codes of Practice on the DED.⁶ This list includes all government departments and a range of Non-Departmental Public Bodies.

The specific duties require, in particular, the production of a Disability Equality Scheme (DES), including an Action Plan. Authorities are required to carry out the actions they have set out in the Action Plan, unless they can show that it is not reasonable or practicable to do so.

Public authorities are required to report annually on progress against their DES.

Secretaries of State duty

Additionally certain Secretaries of State, the National Assembly for Wales and Scottish Ministers will have to publish a report every three years that gives an overview of the progress made by public authorities in their policy sector or area in relation to disability equality. They must also set out proposals for coordination of action by those public authorities in that policy sector, to bring about further progress on disability equality.

This aspect has important implications for those working on policy within that particular sector or area.⁷

⁶ Disability Rights Commission (2005) 'Statutory Code of Practice, the Duty to Promote Disability Equality: Statutory Code of Practice England and Wales', or the equivalent code for Scotland, www.drc.org.uk/employers_and_service_provider/disability_equality_duty/getting_started/codes_of_practice.aspx

⁷ For more information on this aspect of the duty see some of the other briefings in this series at www.drc.org.uk/employers_and_service_provider/disability_equality_duty/government.aspx

4. The Disability Equality Scheme

Each government department is required to have produced a DES by 4 December 2006, and to revise it at least every three years. In essence this is a structured project plan for how the department will deliver progress on all elements of the general duty over the next three years. Policy formulation and delivery will clearly be central to this delivery, and therefore those working on policy development need to be closely involved in the development of this Scheme.

The essential elements that the Disability Equality Scheme must include are:

- a statement of how disabled people have been involved in developing the Scheme
- the Action Plan
- arrangements for gathering information about performance of the public body on disability equality
- arrangements for assessing the impact of the activities of the authority on disability equality and improving these when necessary (disability equality impact assessments)
- details of how the authority is going to use the information gathered, in particular in reviewing the effectiveness of its Action Plan, and preparing subsequent Schemes.

In its guidance for civil servants the ODI states that a good Disability Equality Scheme would:

- clearly reflect the priorities of both disabled employees and disabled citizens
- set out a timed, challenging plan for integrating disability equality into the way an authority conducts all its functions
- cover all the authority's functions, including:

- providing services to citizens and exercising public functions, such as awarding grants, using powers of arrest and issuing passports
- arrangements for employing staff and appointing office-holders
- policy development and research, including work towards legislation
- target-setting, inspection and regulation
- procuring goods and services
- organisational design and delivery mechanisms, including project management
- any other departmental activity that is not explicitly exempted by the DDA
- link clearly to the performance framework of the authority, such as the Public Service Agreement.⁸

⁸ ODI (2006), 'Disability Equality: A Priority for All. Guidance for civil servants on the duties imposed by the Disability Discrimination Act', www.officefordisability.gov.uk/docs/disability-equality.pdf

5. Disability equality at the heart of better policy-making

Disabled people, despite the barriers, exclusion and discrimination they face, do not exist in isolation in society. Disabled people want, and have a right to, the same quality of life as their non-disabled counterparts. However, these rights can be seriously restricted or frustrated by the way that not only disabled people are perceived, but also the way that public policy, services and functions are designed and organised. This is often referred to as institutional discrimination.

Government policy, at whatever level and on almost every subject, will impact on the lives of disabled people. The central importance of government mainstream policy to the lives of disabled people is likely to mean that disability equality may figure significantly in many central government policy areas when appropriately considered.

The new duties are proactive, and seek tangible outcomes over time. This means that the responsibilities placed upon policy-makers, and those who commission research that informs policy, are indeed significant and far-reaching.

Government policy (including mainstream policies which are not related to services for disabled people) has the potential, if correctly scoped and researched, to contribute positively to the promotion of:

- equality of opportunity
- positive attitudes towards disabled people
- involvement in public life by disabled people
- the elimination of unlawful discrimination and disability-related harassment against them.

Addressing issues around disability equality can bring benefits to the development of any government policy in relation to ensuring its appropriateness for a large section of the population (estimates

are that over ten million adults have rights under the DDA).⁹ The tools within the DED work very effectively with modern policy development processes and better policy-making initiatives.

The DED is a proactive approach to tackling discrimination and promoting disability equality. It provides an opportunity for policy-making to identify issues around disability equality from the outset but also to be forward-looking and to link to the Government's long-term agenda for disability equality set out in the 'Life Chances' report.¹⁰

The whole approach within the DED, and the structure of the DES, is centred on evidence-based decisions and effective evaluation. Continuous gathering of evidence to inform and support policy development is central to this duty.

Obviously, considerations within policy development of issues around disability equality will help to support outward looking and inclusive policy development. Disabled people are not a homogeneous group and consideration of disability equality will also support and enhance consideration of other equality groups, key issues such as the impact on rural communities and the impact on older people.

Utilising the tools within the duty will give an opportunity for those involved in policy development to engage with this new approach, which moves away from consideration of individual rights to looking at issues around organisational and policy development. This is a new approach but will be an effective way of ensuring positive outcomes, particularly within policy development and delivery. Engaging with this new approach provides a significant opportunity for those involved in policy development to be creative, flexible and effective.

This is not just an important opportunity for those involved in developing new areas of policy but is also highly relevant for those who are involved in reviewing or evaluating policy, providing briefings for ministers or producing guidance.

⁹ DWP (2005) 'Family Resource Survey', www.dwp.gov.uk

¹⁰ Prime Minister's Strategy Unit (2005), 'Improving the Life Chances of Disabled People', Cabinet Office, London

The range of reporting mechanisms, including the departmental disability equality annual report and the specific report from the Secretary of State, provide an opportunity for joined-up thinking and policy development within departments and across policy sectors. It also ensures the driver and tools for evaluation, review and scrutiny.

Some examples of disability equality & policy-making

Policies which have been developed in accordance with the principles of better policy-making and the DED, are likely to meet their overall objectives more inclusively and effectively. Getting it right for disabled people will help to ensure that policy better meets overall goals.

For example:

- Targets on reducing child poverty are unlikely to be met if specific attention is not given to targeting disabled people, and cross-referencing employment and welfare policies, which have a specific impact upon the incomes and earning potential of disabled parents.
- Policies aimed at increasing the use of public transport to reduce traffic congestion will not be fully effective unless attention is paid to creating accessible transport services and not just concentrating on the physical accessibility of the vehicles.
- Policies on health promotion are likely to be less effective if they do not address some of the specific health issues experienced by disabled people. For example the very high percentage of people with mental health issues who smoke, or the low take-up of cancer screening by people with learning disabilities.¹¹

¹¹ For more information on the specific health issues experienced by disabled people see the DRC website www.drc-gb.org/healthinvestigation

- New initiatives or policies around crime prevention will be less successful if they don't address the increased likelihood of disabled people experiencing hate crime, harassment or robberies.
- Policy development on increasing investment in our communities will need to consider the position of disabled people, who are much more likely to not be working, and the opportunities for developing disabled people's entrepreneurial skills.
- Policies around housing and homelessness would be significantly limited if they did not consider the high percentage of homeless people who have mental health issues or the numbers of disabled people living in unsuitable housing.

These are just a few examples, but ensuring that policies, briefings and guidance are in tune with disability legislation and effectively help to promote disability equality will not only benefit disabled people but will provide a better rounded and more effective policy outcome.

It is clear that policy formulation which fails to consider disability equality considerations is likely to have unintended, but nevertheless, significant discriminatory consequences.

Additionally, it is important to remember that disabled people or the Disability Rights Commission (DRC) may seek judicial review of an action or inaction if it is considered that due regard to disability equality has not been had in the implementation of such a policy.

6. The DED's tools for policy development

There are a range of tools within the DED to support policy development, evaluation and review and many of these are reflected within the DES. These will include:

- the involvement of disabled people
- arrangements for gathering evidence
- a statement about to what uses information gathered will be put
- Action Plans and reporting arrangements on progress on these actions.

Involving disabled people

To effectively meet the requirements of the specific duties, disabled people should be involved in the development of the DES (including the Action Plan) and in:

- identifying the priorities of disabled people and people with long term health problems
- determining the priorities for impact assessments
- evaluating progress on the measures identified in the Action Plan
- reviewing the DES after three years.

Involving disabled people will not only enable departments to meet the responsibilities under the DED but will also be extremely helpful for policy-makers. Departments will undoubtedly have different arrangements for involving disabled people but this may include:

- specific forums
- advisory groups

- events/conferences
- focus groups.

This involvement will not only help to develop specific elements of the work on disability but will also provide guidance, advice and direct experience to inform work on gathering evidence as well as giving clear advice on the priorities for policy areas for impact assessments. If policy-makers are able to get feedback from this involvement this will be very beneficial.

The DRC has produced detailed [guidance on involving disabled people](#) which policy-makers may find of interest.¹²

Information and evidence gathering

This section outlines the key issues in gathering evidence as a means of assessing the impact of public policy on the daily lives of disabled people.

Gathering and analysing evidence is an important element of the overall DED, but is not an end in itself. The focus of the duty is to bring about greater equality for disabled people in society. The evidence gathering and analysis process is a means of deciding where action is most needed, taking such action, reviewing its effectiveness and deciding what further work needs to be done.

Historically there is a paucity of evidence about disability equality. The DED will require government departments to work to remedy this problem.

Gathering evidence is a specific requirement within a DES, an indispensable prerequisite for complying with other aspects of the duty and essential for the development of robust evidence-based

¹² See: DRC (2006) 'The Disability Equality Duty and involvement: Guidance for public authorities on how to effectively involve disabled people', www.drc.org.uk/employers_and_service_provider/disability_equality_duty/getting_started/involving_disabled_people.aspx

policy. This is particularly apparent in view of the fact that over ten million people in Great Britain have rights under the DDA.¹³ Therefore making policies without clear evidence on this significant sector of the population would not be consistent with better policy-making principles.

A sound evidence base is also a necessity for:

- conducting impact assessments
- reviewing the effectiveness of the DES Action Plan
- revising the DES after the three years of its life.

At a national level there is no one satisfactory data source. The DRC currently relies on a range of national household surveys for disability data. However, these surveys are often very large and designed to focus on specific topics such as the labour force, family expenditure, health, etc. They sometimes only include one question on disability. While these surveys do offer detailed information, their ability to measure disability prevalence and impairment reliably is often limited, particularly below the national level.

In addition, estimates of prevalence alone at the national level are not always sufficiently informative. Instead, considerable additional information about the distribution of disability at a local or regional level, by different impairment groups, by ethnicity, by different age group, etc is required.

At both a national and an institutional level many organisations do not disaggregate their existing data sources to reflect the particular experiences of disabled people.

Above all, such information as has historically been collected has generally not been informed by the social model of disability, and this limits its use for the purpose of promoting disability equality.

When considering what evidence to collect, and how, caution is advised when choosing to rely on one type of data over another. Gathering statistics may provide evidence of robust numbers of

¹³ DWP (2005) 'Family Resource Survey', www.dwp.gov.uk

disabled people affected by a particular policy, but it will provide little evidence of the reasons for the dissatisfaction or reasons underlying it. It is usually a good idea to strive for a balance of quantitative and qualitative data within your evidence gathering processes.

To decide what information is needed, not only for the development of the Scheme, but to assist policy-makers more generally, departments must address several key questions:

- Is the department taking account of all relevant aspects of the general duty when collecting evidence in relation to policy development? How can this be demonstrated?
- Have disabled people been involved in deciding what information is needed and the most effective way of gathering it?
- Have existing internal and external sources of data relating to disabled people been identified and considered?
- Have appropriate staff been made aware of the relevance of the social model to evidence gathering?
- Are arrangements in place for parallel evidence gathering with other government departments in relation to cross-cutting policy sectors?
- Are all major surveys conducted by the department able to be disaggregated to reflect the particular experiences of disabled people

The DRC has produced detailed [guidance for public bodies on gathering and using evidence](#).¹⁴

¹⁴ DRC (2006) 'Guidance on gathering and analysing evidence to inform action', [www.drc.org.uk/employers and service provider/disability equality duty/getting started/evidence gathering.aspx](http://www.drc.org.uk/employers_and_service_provider/disability_equality_duty/getting_started/evidence_gathering.aspx)

The Action Plan

The Action Plan is basically the steps that a public authority plans to take in order to meet the general duty. It will set out the key actions that the authority will take to promote disability equality over the period of the DES, which lasts for three years from its publication date. It should address all the strands of the general duty.

In a highly effective Disability Equality Scheme the Action Plan will reflect:

- the priorities of disabled people
- the strategic priorities of the authority, including major forthcoming programmes and business milestones
- evidence of where the issues and priorities lie
- the specific outcomes which the authority wishes to achieve set against a realistic timetable
- measurable indicators of progress towards outcomes
- lines of accountability and ownership of specific actions.

The Action Plan should be aimed at making practical improvements to equality for disabled people which is why the specific outcomes must be clearly identified.

It is essential that policy-makers are involved in drawing up the relevant actions for their Scheme. There may be a range of actions which could support them in building disability equality into their policy-making work. This could include department-wide actions on long-term mechanisms to gather or disaggregate evidence or specific prioritisation of certain policy areas which are assessed as being key to improving outcomes for disabled people.

Disability equality impact assessments

A key development for policy-makers will be assessing the impact of policies on disability equality. An impact assessment system, whether disability specific or generic, should clearly distinguish and identify the barriers which policy proposals might create and the opportunities which might have been missed to promote disability equality for the broad range of disabled people in the policy target audience. It should also identify what steps should be taken to remove those barriers and identify and re-capture such missed opportunities. Such an impact assessment should be used to ensure that both new and existing policies are assessed for their impact on disability equality.

Impact assessments are a tool which should be used in a positive manner and be seen as an ongoing part of policy development. It should not be utilised to simply defend the status quo but should be used to identify ways of improving policy.

Not only will assessing the impact of the policy on disability equality contribute to quality reviewing the policy, but this assessment will also provide policy-makers with an audit trail of the disability equality elements of the policy. This is just one of the fundamentals of the development of modern and effective policy.

Undertaking an impact assessment will enable effective production of robust answers to any questions that arise, particularly to Ministers or from Ministers, in relation to why a policy, guidance or other work has been drawn up in a particular way.

New policy development

For new policy development, or situations where the policy is undergoing an evaluation or review, it will be more effective to build disability equality impact assessment into the development of the policy. This is more likely to lead to robust and inclusive policy development, whereas simply undertaking a formal disability equality impact assessment at the end of the policy-making process will simply lead to piecemeal changes and the danger of disability equality being bolted on as an afterthought.

Existing policies

When it comes to considering existing policies and programmes, the Scheme should identify a timetable for impact assessments of all relevant existing policies and programmes to ensure that they give due regard to disability equality. This is a significant undertaking, which may take a number of years to complete. In many key areas the involvement of disabled people will bring tremendous benefits to assessing the impact of major policies on disabled people.

Other areas to be considered for impact assessment

Impact assessment should not just be restricted to a formal development of policy. Building in impact assessments to work such as developing guidance will be very effective. In other situations such as producing briefings for ministers it will still be useful to consider disability equality issues, although probably not through a formal impact assessment process.

Involving disabled people

The DES will need to set out the authority's arrangements for impact assessment. For major future policy developments, particularly those leading to legislation, with a high relevance to disability equality, the specific involvement of disabled people in the impact assessment process itself will always be helpful.

Evidence for impact assessments

Impact assessments will need to show clear evidence to support any conclusions drawn and recommendations made for alterations to proposed policies. It is vital, therefore, that where appropriate, evidence is obtained from information-gathering exercises commissioned and designed specifically to gather evidence to support and facilitate these processes.

Identifying the potential improvements

Impact assessments should not adopt a defensive and justificatory stance in relation to promoting disability equality or compliance with the duty. The process should be comprehensive and fluid, dynamic and not rigid or overly procedural but rather focusing on potential improvements.

They should include an analysis of what possible risks of adverse impact on disability equality there might be, together with proposed steps for mitigating these. They should also include consideration of any missed or potential opportunities for promoting disability equality across all the six strands of the general duty, where appropriate with explanations as to why other competing requirements have meant that it has not been considered possible to pursue these missed opportunities.

Including the impact assessment outcomes in either the final policy document or accompanying documentation will be extremely helpful in ensuring the process is both transparent and effective. This should identify whether recommendations contained within impact assessments have been accepted, along with any timescales, to assist annual reporting requirements and future action planning.

The DRC has produced [information and guidance on impact assessments](#), which anybody involved in policy development is strongly recommended to read.¹⁵

¹⁵ Information and guidance on disability equality impact assessments can be found at www.drc.org.uk/employers_and_service_provider/disability_equality_duty/getting_started/impact_assessments.aspx

7. The legislative process

Needless to say policy-making often results in legislation, which in turn may have a substantial impact on disabled people's lives. All major Government initiatives, including those which will require primary legislation, are subject to the DED.

Major proposals leading to legislation will need to be carefully impact assessed, not only during initial development within the department but also when the policy proposals are receiving further consideration. For example, at the Green Paper stage options for consideration might be separately assessed to identify barriers and potential missed opportunities. These can then be addressed alongside responses from disabled people in the drafting process.

At other points, for example when being considered by committee, information about the impact on disabled people could be useful to parliamentarians to help identify key issues attached to proposals. It would also raise awareness of the value and significance of disability equality, particularly in policy areas where disability has not previously been an issue of concern.

One major policy development that the DRC would hope to see is disability equality impact assessments published alongside policy statements, such as Green and White papers.

In order to preserve the sovereignty of Parliament, various activities directly associated with Parliament are exempted. However, this does not place policy-making outside the scope of the duty even if legislation is involved.

8. A few questions for policy-makers to consider

Is disability equality embedded in policy development?

One way of ensuring that disability equality considerations are embedded in policy development is to include disability equality reviews and impact assessment as a required milestone in all stages of the policy development process. The important thing to remember is that developing good policy is assisted by ensuring that it takes account of the legal duty to promote disability equality.

How will you assure Ministers that your advice takes account of the Disability Equality Duty?

As Ministers could be subject to judicial review if they make decisions without giving 'due regard' to the DED, they will need assurance that their officials are giving them the necessary information and advice. Departments need to consider how this assurance can be given meaningfully, without setting up bureaucratic processes, or meaningless 'tick boxes' on policy advice that cannot guarantee that competing objectives, which may need to be finely-balanced, have been considered appropriately.

Are arrangements in place to involve disabled people in policy development and assessing impact when appropriate?

Undoubtedly in the development of major pieces of policy there will be benefits in involving disabled people in identifying barriers and undertaking impact assessments. Rather than having to reinvent arrangements for the involvement of disabled people for every major policy, arrangements could be put in place, at a departmental level through the DES, which can be called upon when necessary.

Do you have all the evidence you need?

It is clear that good evidence is vital for developing good policy. Gathering comprehensive evidence on disability equality can be a long-term and ongoing process and is a central part of the DED. When addressing the development of a particular policy you may wish to call upon a range of evidence both within your department and externally. This could include qualitative and quantitative work within a department and some of the wide range of research which exists externally on disability issues. You may also consider working with your research department to commission additional evidence for major policy initiatives. The involvement of disabled people will help to supplement this evidence base.

However, a lack of evidence is not an excuse for inaction and you may have to make a judgement based on the available evidence.

Do people with certain impairments have different experiences of the policy areas covered by your department?

The DRC Codes of Practice on the DED recognise that there may be circumstances where specific actions need to be prioritised in relation to specific impairment groups to ensure that disability equality is not jeopardised for them. The need for any such action would have to be justified by specific work with representatives from particular impairment groups before any such initiative was considered. For example, where the procurement of information technology systems is being considered different impairment groups have very different access requirements. It would be necessary to put precise design and support specifications to meet these various access requirements into the procurement process, and to involve appropriate disabled system users, either current or potential, in identifying the potential barriers to be overcome.

Does the department have an effective system for disability equality impact assessments?

It is vital that those responsible for policy development have an input into and are comfortable with the system within a department for carrying out disability equality impact assessments. This system should be straightforward to use, clear and seen as part of the process rather than the whole story.

When improvements to policies in relation to disability equality are identified, how are these taken forward and is this learning shared?

Identifying possible improvements to policy to better promote disability equality gets easier the more you do it. Obviously it is important that these improvements are taken forward and that these changes are not only recorded but that this learning shared with others engaged in policy development, possibly within your own team, your section, your department or even across your policy sector.

How will success be judged?

Consideration might be given to the inclusion of disability equality measures in critical success criteria, in the risk management logs related to the development of policies, and in associated project management procedures.

Have the outcomes for/experiences of disabled people improved?

This can only be assessed by developing monitoring procedures to ensure that research is carried out on an ongoing basis to capture the views and experiences of relevant disabled stakeholders.¹⁶ Any such research will need to be timetabled, where possible, to be

¹⁶ For detailed guidance on evidence gathering see the DRC 'Guidance on gathering and analysing evidence to inform action', www.drc.org.uk/employers_and_service_provider/disability_equality_duty/getting_started/evidence_gathering.aspx

reported in the annual reporting procedure of the DES and most importantly to ensure that it can contribute to the overall evaluation of the three year Action Plan, and to the Secretary of State's report and recommendations for better co-ordination where appropriate.

9. Reporting on progress

Each department will have to produce a report annually on progress on the duty. Policy-makers will clearly be required to have significant input into this report and therefore will need to be able to report not only on actions and improvements but also on the long-term impact of this work.

Secretaries of State are also required to report every three years on progress towards disability equality in their policy sectors, and upon plans for better co-ordination across departments.

The departments to which this applies are:

- Department for Work and Pensions
- Department of Communities and Local Government
- Department of Health
- Department for Education and Skills
- Department of Trade and Industry
- Department for Transport.

It is particularly important to remember that, although the Secretary of State Duty reporting timeline is nearly three years away, this will require the establishment of specific arrangements to capture progress data on disability issues across the broad range of departmental policy areas. This will be particularly important and challenging where there are cross-departmental policy sector arrangements. It will be even more stretching where there has previously been no need for annual reporting procedures to be established in such cross-cutting areas, for example, within the criminal justice arena, where it is important to establish common or complementary procedures in all relevant policy areas or sections to assist in the early collection of both benchmark and improvement information.

All of these requirements will need the establishment of clear

processes and procedures to ensure that relevant information can be provided in a timely manner.

Disclaimer

The information in this bulletin is based on the law but its main purpose is to help authorities to comply with and make the most of the Disability Equality Duty. The Statutory Code of Practice on the Disability Equality Duty provides further detail of the legislation.