Involving Disabled People in Disability Equality Schemes

Briefing Paper for the Higher Education sector

Equality Challenge Unit

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Higher Education Institutions must produce their first Disability Equality Schemes by 4 December 2006, and must involve disabled people in all key aspects of this work. This ECU research has demonstrated that HEIs, in common with other public sector bodies, are finding involvement to be one of the biggest challenges of the new disability equality duty. Developing themes from the Disability Rights Commission's recent guidance on involving disabled people, this Briefing Paper provides tailored advice to the sector, illustrated with a broad range of examples of involvement from HEIs.

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Introduction

The Disability Equality Duty (DED), also known as the 'public sector' duty or 'positive' duty on disability, lies at the heart of the Disability Discrimination Act (DDA) 2005. By 4 December 2006, Higher Education Institutions (HEIs) and other public bodies must comply with the core specific duty of the DED by creating a Disability Equality Scheme (DES). HEIs and other public bodies need to secure the genuine and meaningful involvement of disabled people in order to meet the duty.

Feedback from the higher education (HE) sector tells us that the involvement of disabled people is the most challenging part of the new duty. For example, ECU's DES Progress Survey, undertaken in Summer 2006, found that over a third of DES Leads cited involving disabled people as the greatest challenge they face in implementing the DED. This Briefing Paper builds on existing ECU guidance on involvement and offers practical examples relating to involvement in response to requests from the sector. The range of different approaches within the examples is indicative of the different contexts HEIs operate in.

This guidance is aimed at those staff within HEIs who are taking the lead in coordinating the production of the institution's first DES. Additionally, the guidance may be of use to marketing and communications staff, who will be able to use their expertise in helping to develop an involvement strategy, and to advise on involving and communicating with disabled people in a variety of different ways.

The Disability Rights Commission (DRC) has produced general *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). It is recommended that staff leading on their institution's DES read the DRC Guidance in conjunction with this ECU guidance, as the aim was to avoid duplication between the two. The DRC Guidance is referred to throughout this document, along with the DRC Code of Practice, which covers all aspects of the DED.

1 The importance of involving disabled people

The DED has introduced a legal requirement to involve disabled people in the way public bodies, including HEIs, function. The DRC Code of Practice advises that *"Public authorities will not be able to identify and prioritise equality initiatives effectively unless they consider the views of disabled people"* (3.9).

Disabled people, from both within and outside an HEI, are therefore its most valuable resource in terms of meeting the DED. Disabled people can:

- advise HEIs how to operate more inclusively

- identify barriers to the participation, achievement and success of disabled people

- help find ways to overcome barriers by doing things differently

- give feedback on priorities so that senior managers are able to plan most effectively.

The DRC Guidance provides further details of the business case for involving disabled people at page 10.

By working in partnership with disabled people, HEIs will be able to produce action-focused Disability Equality Schemes, which will improve life in higher education for disabled people. Disability Equality Schemes must also include a statement of the way in which disabled people have been involved in their development (DRC Code of Practice, 3.8).

1.1 The differences between involvement and consultation

Consultation is a process for seeking people's opinions, feedback and

information about their personal requirements, often in relation to policies or plans that have already been drafted or designed. This can mean that consultation exercises only lead to limited change. The DRC Guidance states that involvement will mean more than asking people their opinion of the DES (16). Involvement is a more active process whereby stakeholders have visible influence, and need to be involved in key stages of the development of the Scheme.

The architects of the DED recognised that consultation alone can result in communication between public bodies and their stakeholders that is characterised by passivity. The duty to *involve* disabled people is a stronger duty; the DRC Code of Practice makes it clear that involvement should not be tokenistic, but should lead to action and change.

According to Chapter 3 of the DRC Code, involvement can mean:

- reviewing the way an HEI carries out its functions

- identifying barriers and tackling them through action

- prioritising equality initiatives

- prioritising in action plans

- planning

- developing the DES

- impact assessment

- gathering and analysing data to support impact assessment, action planning, and to enable monitoring

- carrying out monitoring to evaluate future versions of the DES

- designing services

- developing services

- commissioning and monitoring services

The DED is based on the social model of disability. It is important that this model is understood by staff who arrange involvement activities, so that they can ensure that the focus of involvement is on the removal of barriers

within HE. The **Further reading** section of this guidance includes reading on the social model.

Many HEIs are just beginning the process of involvement, using methods such as satisfaction or attitude surveys, public meetings and focus groups to elicit the views of disabled people. The DRC Guidance reminds public bodies that as they become more familiar with the Duty they will need to move away from one-off consultation methods to long-term sustained relationships with disabled people (7).

1.2 Involving 'the full diversity of disabled people'

The DRC Code of Practice states that *"the full diversity of disabled people"* should be involved in the development of the DES (3.16). Disabled people are diverse in terms of their impairments, and in other aspects of identity such as race, gender, and so on, which may also impact on their experiences.

As well as thinking about the involvement of disabled people generally, HEIs will also need to think specifically about disabled people from a Black and Minority Ethnic (BME) background, disabled women, disabled staff of different ages, and so on, and how to engage with them most effectively. A group of people purely drawn together on grounds of disability, who are of different ages, gender, sexual orientation and cultural backgrounds, may not feel comfortable enough to communicate openly together. See **Reaching disabled people** below.

1.3 What level of involvement is appropriate?

The DRC Code of Practice states that disabled people should be involved in all *key* aspects of the development and implementation of the Scheme (3.10-3.11). This does not mean disabled people need to be involved in *all* work relating to the Scheme. The DRC Guidance states that *"It is likely that before disabled people are involved, a framework Scheme should be developed"* (17). ECU's *Shaping your DES* (www.ecu.ac.uk/publications/guidancepublications/) gives institutions ideas about structuring their first Schemes.

As with all disability legislation, proportionality is key and there cannot be a 'one size fits all' approach to the involvement of disabled people. The DRC Code of Practice states at 3.3 that the duties *"provide a flexible framework to guide public authorities to meet their general duty in the most*

appropriate way and may apply differently, depending on the size.. of the organisation." The scale of HEIs' operations is diverse in terms of their partner organisations, regional coverage, and staff and students numbers. Clearly, the approaches taken in respect of involving disabled people will vary in relation to scale of operation and the financial resources of the whole institution.

The DRC Code of Practice suggests at 3.23 that it may be proportionate for "*smaller public authorities.. [to] make use of existing mechanisms of consultation"* for the purpose of involving disabled people in Schemes, rather than developing elaborate new mechanisms. This guidance discusses how existing mechanisms can be built on at **section 5.1** below. Existing consultation mechanisms can be a starting point for HEIs, but it is important to remember that the involvement required by the Duty goes beyond consultation.

2 Potential barriers to involvement

2.1 Under-declaration of disability status

Under-declaration of disability status can appear to be a potential barrier to meaningful involvement. How can an institution involve its disabled staff and students if it is uncertain who or where they are, or if it believes the data it holds are unreliable, incomplete or out of date?

The DRC estimates, in the *Key Facts* (www.drc-gb.org/newsroom/key_drc_facts_and_glossary/work.aspx) section of its website, that 20% of the working adult population meets the definition of disability in the DDA. However, the Higher Education Statistics Agency (HESA) statistical returns for 2004/05 show that on average, HEIs report that 2% of their academic staff are disabled. From this it is clear that non-disclosure amongst staff in higher education is a matter for concern. It is a problem that many employers face, and the TUC has produced *useful guidelines* (www.tuc.org.uk/equality/tuc-9664-f0.cfm) that address this issue.

Significant numbers of institutions acknowledge that they do not know the disability status of many of their staff. Institutions often record data about disabled staff and students on one occasion only, at the point of application or appointment, and do not always have systematic procedures for revisiting this data regularly, such as in annual appraisal or annual staff survey. Such a system will not capture data about people who acquire an impairment during the course of their employment. For this reason, data relating to the percentage of disabled people within an institution, and relating to the barriers those people face, need to be collected and maintained as part of a rolling programme.

Under-disclosure of disability status is relevant to the issue of involvement, but must not become a barrier to involvement. Work to increase disclosure of disability status and work to involve disabled people must proceed simultaneously, and successes in one area are likely to give rise to progress in the other, over the medium to long term.

2.2 Action to address under-declaration

ECU Update 06/05 (www.ecu.ac.uk/publications/updates/) describes the positive and effective efforts some HEIs have made in recent years to improve their data relating to disabled staff. Increasing disclosure of disability involves institutional culture change, which is a long-term challenge. Developing training programmes and other forms of awareness-raising about rights and responsibilities will assist with this culture change.

The words institutions use when trying to encourage disclosure of disability status can strongly influence the effectiveness of this project. This subject is addressed in a recent Learning and Skills Development Agency publication (see **Further Reading** below). Disabled people are diverse and 52% of people who are legally protected by the DDA do not perceive themselves to be disabled, according to the *Your Rights – Definition of Disability* section of the DRC website (www.drc-gb.org/your_rights/ are_you_being_discriminated_ag/definition_of_disability.aspx). A number of differently worded and targeted messages are therefore likely to be appropriate for use in any one institution.

> The Disability Rights Commission now uses the phrase *'disabled people and people with a long-term health condition'* in order to help its messages reach the widest possible audience.

Using the social model of disability described above can help institutions bring about culture change. Signing up to this model sends a clear message that disability is an organisational issue and a challenge for the organisation to create inclusive and accessible working and studying environments.

Other suggestions to help you to communicate with disabled people are:

- call on marketing and communications staff to help you design a variety of positive messages for staff and students

Use positive words and phrases such as *inclusiveness*, *diversity*, *breaking down barriers* – words which are focused on action rather than more negative words such as *problems* or *difficulties*.

- explain *why* you want to know whether people are disabled

- offer incentives to return staff surveys (see section 3.4 below)

- use anonymous surveys to start the information improvement process

- follow up non-anonymous responses in an appropriate way

- advertise the institution's positive ethos

- use diversity weeks/events to communicate messages, and consolidate on these with follow-up work

- turn staff personal data validation into an annual exercise (in recognition of the fact that disability is a dynamic identity)

- explain 'what's in it for you' for staff and students who disclose. Examples might include reasonable adjustments, and access to assistance through the Access to Work scheme or Disabled Students Allowance, which could remove some of the barriers to working and studying. Also explain that disabled people will have the opportunity to contribute to positive culture change within the institution and have their voices heard.

The Disability Office, in conjunction with the Design Unit at the London School of Economics and Political Science (LSE) jointly ran a poster campaign which communicated messages about disability in a variety of ways. One poster aimed to raise awareness of the range of people covered by the DDA as a result of the broadening of the definition of disability in December 2005. It asked "Are you protected?" against a backdrop of words and phrases not traditionally associated with 'disability rights', such as HIV, repetitive strain injury and depression. The bottom of the poster stated "DDA 2005 may protect and support you." Readers were invited to find out more from the DRC website and LSE's Disability Office.

In order for positive messages such as these to be meaningful, and to improve rates of disclosure of disability status, staff must reinforce them in their daily activities. The all-encompassing project of the DED will need to involve a strategy for training staff in disability equality, and/or equality and diversity, so that institutions can move nearer to the sort of environment that will reassure disabled people about the consequences of disclosure.

3 The practicalities of involvement

Chapter 6 of the DRC Guidance explores in detail some of the methods of involvement that public sector bodies can employ, such as review groups, meetings and on-line involvement, along with some guidance on how to go about these types of involvement activities. It is important to remember that using different involvement mechanisms will mean more disabled people will be reached, and different types of information can be uncovered.

> " *I am glad I followed up on survey responses from disabled students with some one-to-one interviews. It transpired that services described as 'fantastic' in the survey, such as our exam adjustment procedure, were not necessarily viewed that way. It was just that the respondents did not want that provision to be taken away. The one-to-one interviews were a chance to get to the real, often more complex picture. In the same way, public meetings only tend to attract particularly confident disabled people."*
>
> Judith Waterfield, Head of Disability Assist Services, University of Plymouth

Chapter 4 of the DRC Guidance discusses the importance of involvement being inherently:

- focused

- accessible

- proportionate

- influential

- transparent.

This section of ECU's guidance draws out some of those themes and deals with a few more.

3.1 Providing a 'safe' environment

Because of the problem of non-disclosure of disability status in the HE sector, which can be caused by fear of the consequences of disclosure, disabled people may need 'safe' cultural environments in which to contribute to an HEI's DED work and development of the DES. In practice, this may mean offering anonymity and confidentiality.

What not to do…
An institution's HR managers are encouraging staff to disclose impairments by means of an all-staff survey. However, staff are not permitted to respond anonymously. Disabled staff feel afraid to identify themselves in case they are penalised for expressing any concerns about the institution, or trigger an unwarranted investigation into their working ability. There is a feeling amongst staff that getting involved with the institution's DED initiatives will increase, rather than decrease, the scope for discrimination against individual staff members.

At face value there seems to be a tension between anonymous involvement and the need for an institution to identify disabled individuals who can be actively involved in the Scheme. However, the two are not mutually exclusive. An institution may need to establish involvement mechanisms which disabled staff and students can participate in anonymously.

Web and e-mail based mechanisms are likely to fulfil this brief. For example, forums and chat rooms could be open for disabled staff and students to 'drop in' to at any time, but could also be used for pre-planned and advertised debates on specific issues, for example subsequent to particular TV/radio programmes, news items, public lectures at the HEI, or in advance of committee meetings.

The Open University used its student conferencing software to run a 'closed' online DES conference, for disabled students who had volunteered to take part as a result of messages placed on student websites.

Surveys and customer comments cards for expressing dis/satisfaction and making suggestions also allow anonymity. The advantage of the electronic methods described above are that interactive debate is also possible: ideas can be discussed and tested by a community of disabled people with an interest in the functioning of the HEI.

Of course, HEIs are aiming to create a culture whereby fewer staff and students feel the need to make anonymous contributions to debates and planning around disability equality. Anonymous involvement mechanisms should therefore ideally include positive statements that reflect the HEI's position on the creation of a welcoming, respectful and non-discriminatory HE community.

Another element of creating a 'safe' environment is to allow disabled people to constructively criticise an HEI's way of working, without feeling they will be penalised for doing so.

The University of Wales Aberystwyth, while conscious of the need to link staff in positions of authority with disabled staff and students, ensured that service managers were not present at the University's initial staff and student focus groups so that participants felt at liberty to give honest feedback, both positive and negative. An agreement was made at the start of the focus groups that feedback would be anonymised when relayed to the appropriate staff within the University.

3.2 Accessibility

There is a wealth of guidance available on making involvement activities accessible for disabled people. The DRC Guidance covers some of the factors that need to be considered on page 19. Additional factors are:

- booking accessible venues with accessible facilities (which involves thinking about lighting, hearing loop systems, background noise and plug sockets as well as toilets, entrances and exits)

- using good print guidelines and writing publications and publicity materials in Plain English. More information is available from the Plain English website (www.plainenglish.co.uk). Asking a British Sign Language interpreter to proofread documents to ensure they can be easily understood by people whose first language is BSL

- managing meetings in an inclusive manner (see **Facilitation** below)

- ensuring staff are trained and confident in disability awareness and etiquette

- ensuring staff know how to operate communication support equipment such as radio mics, and know how to work with sign language interpreters.

Oxford University and Oxford Brookes University recently initiated and co-ran a community involvement day with three other public sector organisations. The event took place in an accessible venue which is well-served by public transport. The organisers provided free accessible transport for those participants who were not able to use public transport.

See the TechDis and National Disability Team *Good practice guide for staff organising events in Higher Education* (www.techdis.ac.uk/index.php?p=2_1_2).

Durham University has sourced the following public sector guidance on consultation, which covers issues of accessibility:

Manchester City Council's *Corporate Guide to Consultation* (www.manchester.gov.uk/disability/dda/guides/consult.htm) and statement on *How consultation makes a difference* (www.manchester.gov.uk/bestvalue/consult/change.htm)

Fife Council's *Introduction to Consultation Methods* (www.fife.gov.uk/uploadfiles/publications/c64_4ConsultationMethods.pdf#search=%22fife%20introduction%20consultation%20methods%22)

Exeter City Council's *Best Practice in Consultation* (www.exeter.gov.uk/index.aspx?articleid=2105)

Leeds City Council's guide to *Consulting with Disabled People* (www.leedsinitiative.org/initiativeDocuments/2003311_71718997.pdf#search=%22leeds%20guide%20consultation%20disabled%20people%22)

Some disabled students at Hull University, who had agreed to comment on the University's draft action plan, commented that reading the documentation had been too time-consuming. This may have deterred some students and lowered the feedback response rate. To overcome this difficulty, summary documents could be provided in future consultation exercises.

There will always be dates and times for involvement activities that are unsuitable for some people and preclude them from participating on that occasion. If a variety of options can be offered throughout the academic year, as with the range of different involvement activities, they are likely to attract more disabled people.

3.3 Facilitation

Because of the diversity of disabled people mentioned above, and the sensitivities involved in organisational change and disability issues, it is important to think carefully about who should facilitate involvement activities and what methods they use. Facilitators of involvement activities may need to be skilled at managing diverse groups of people and in helping groups with different priorities to agree common ground. Using a disabled facilitator can add credibility to the exercise and break down a perception of 'us and them'. Facilitators of involvement need to work to the social model of disability.

HEFCE employed a disabled consultant as a facilitator at three recent involvement events.

> *Using a facilitator who is a professional in this field really added value to our DED involvement exercises. We would certainly encourage HEIs to seek this professional support if they are able to. We were delighted with the enthusiasm and commitment of participants, and the ideas they contributed to this area of our work."*

Alison Johns, Leadership Government and Management, HEFCE

Durham University has established *ground rules* (www.ecu.ac.uk/
publications/guidancepublications/reference/durhamuniversitygroundrule
s.pdf) for all who attend involvement events.

3.4 Budgeting and incentives

The DRC Guidance deals with the issue of properly resourcing the
involvement of disabled people in DES work: *"Budgets for engaging with
disabled people must take realistic account of the often significant costs
associated with ongoing communication and collaboration"* (53).

The Open University has put dedicated funding aside to develop its
DES. A former member of staff in the University's Human Resources
department has been employed as a project consultant since February
2006 to work on the DES. Specific funding was made available for
national and regional involvement events, focus groups, and travel
expenses for those taking part.

The DRC Guidance also deals with the issues around paying disabled
people's expenses and for their time at pages 53-54.

HEIs are learning through experience that disabled people may need
incentives in order to agree to participate in the development of the DES.

After an initial survey of disabled students, Hull University wanted to
carry out more in-depth involvement. As an incentive, the University
promised to enter all those who agreed to be interviewed by telephone
into a prize draw for an i-pod. Of the 1,200 disabled students
approached, 110 agreed to be interviewed.

Appropriate incentives for staff and students could include a financial
incentive (although see page 54 of the DRC Guidance on the importance
of this not affecting welfare benefits), book tokens, refreshments, the
opportunity to attend a social or networking event, or being allowed to get
involved during work time.

Another incentive for disabled people goes back to the very meaning of

involvement: the reassurance that their views are genuinely needed and will feed into a larger process. A continued dialogue to keep disabled people informed about how their views and feedback are being used will assist with this.

4 Involvement in key aspects of the DES

The DRC Code advises that disabled people must be involved at key stages of the development of the DES. The active involvement required by the DED is new to many HEIs and other public sector bodies.

In any type of involvement it is important for HEIs to 'set the scene' to enable disabled people, particularly those from outside the institution, to understand the context of the dialogue. For example, an HEI could introduce involvement activities by explaining what the DED is about, and what is currently known about the opportunities and achievements of disabled people in the institution.

The initial response of public bodies, including HEIs, is naturally to find out what disabled people think and want: how they would like their HEI to change and which of the current arrangements are working well. The focus of the DED is indeed positive change. But disabled people need to be involved in other aspects of developing the DES. These are covered below, and in Chapter 5 of the DRC Guidance.

4.1 Action planning and determining priorities

Finding out what disabled people want to see within their HEI is the starting point for many HEIs, and many of the examples within this guidance relate to this area of involvement. These views are unlikely to be homogenous, because of the diversity of disabled people. Prioritising areas for change again needs to be done in conjunction with disabled people, so that the HEI's chosen priorities are understood and bought into by disabled stakeholders.

4.2 Data gathering and analysis

It is important to remember the requirement that disabled people are involved with key stages of the DES work. This is not just about setting priorities, but also includes key decision-making around data gathering and analysis. This might involve designing questions to ask disabled

people and deciding on formats and forums to be used to gather data.

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) gives examples at pages 22-23 of how disabled people might be involved in the data work of the DED. ECU would be interested to hear of any examples of this work being carried out in the sector.

4.3 Assessing impact of policies, practices and procedures

As part of their involvement in this process, disabled people can help identify both explicit and implicit barriers in policies and practices within HEIs, as these are not always obvious to non-disabled people. For example, an apparently innocuous policy that all applicants for courses are interviewed, could result in discrimination if those interviewing are not trained in disability awareness. This issue could be highlighted as a result of involving both disabled students and disabled 'decliners'.

LSE invited staff and students to a DES Planning Day as their first DES involvement event. The day resulted in an initial impact assessment. During the first half of the day, attendees were asked to list barriers to participation and achievement at LSE, and identify how these could be removed. The afternoon was an action-planning session to produce a priority list of actions LSE could take to improve any areas of weakness across its functions.

The University of Plymouth identified high priority areas for action in conjunction with disabled staff and students. It then set aside a time to bring together key personnel in each high priority area (for example staff recruitment, student accommodation) with disabled staff and students. This allowed in-depth discussions about the solutions to overcoming these barriers.

4.4 Harnessing the relevant skills

Clearly, disabled people have a variety of skills and experience to be matched with the work that needs to be undertaken.

Hull University found through its involvement work with disabled students that they most often wanted to see simple, practical changes such as increased one-to-one support, increased communication by way of regular emails, and handouts to be made available on-line, prior to lectures and tutorials. Students did not tend to express views on strategic change. Their expertise lay in the reality of the experience of the University's policies, practices and procedures, and they could clearly identify those changes which could improve their quality of life.

Because of the systematic discrimination many disabled people have faced throughout their education and employment history, it may be that they need support from the institution in order to contribute most effectively to the development of the DES. Individuals might need to develop confidence in order to express views publicly or at all.

LSE runs a Speakers' Bureau, which is made up of disabled students of the university. Their expertise is regularly sought by the university for the purposes of training staff, presenting to students and for external presentations, and was also used during the DES Planning Day. The members of the Speakers' Bureau are paid as visiting lecturers whenever they are asked to speak by the university. Students are offered both preparation and training for public speaking as part of their membership of the Bureau.

4.5 A continuous involvement strategy

There is a danger that public bodies, after the initial round of focus groups is over and questionnaires have been issued, will feel that involvement has been 'done' for the time being. This could create a time lapse which could ultimately result in the disability equality agenda slowing down within institutions.

The advantage of thinking through a continuous involvement strategy is that work in this area is managed, planned for and budgeted for in the same way as any other aspect of the DES. It avoids uncontrolled bursts of exhausting activity and prevents the agenda from disappearing. Indeed, the DRC Guidance on involvement recommends that it is planned and structured (3). The DES is a rolling programme – impact assessment is ongoing as the 'back catalogue' of existing policies, practices and

procedures is worked through, and new policies are developed; action plans will be revised and renewed as the first round of actions is completed; and the involvement of disabled people needs to happen at the key stages of these activities on an ongoing basis.

See the London Borough of Lewisham's *Consultation and Engagement Strategy* (www.lewisham.gov.uk/CouncilAndDemocracy/HavingYourSay/ LewishamListens/LewishamListensConsultationStrategy.htm) and Fife Council's *Consultation Diary* (www.fife.gov.uk/topics/index. cfm?fuseaction=subject.display&subjectid=204D62AE-A91C-4D7C-A910EF4A1BE2CB9D) for a year-by-year overview of consultative work.

Meeting the duty is very much a developmental programme which involves learning from experience (DRC Guidance: 23). If an HEI has not had experience of developing an involvement strategy, or of involving stakeholders in the way that is required by the DED, then this will be gained by reflecting upon and making improvements to involvement initiatives and strategies that are trialled during this first year of meeting the DED.

5 Using a variety of involvement mechanisms

5.1 Building on existing mechanisms

HEIs are finding that the quickest and easiest way to kick-start the involvement process is to develop existing mechanisms for eliciting the views of staff and students, and of communicating with staff and students. Another advantage of using existing mechanisms is that response rates are likely to be higher. Existing mechanisms may need to be adapted to ensure that they actively involve disabled people rather than being purely consultative.

Departmental discussions
Drafts of the Open University's DES and action plan were circulated to all Heads of Unit for discussion with their staff. Some chose to do this at team meetings.

Annual evaluation survey
In 2005, Hull University added DES-specific questions to the annual evaluation survey it sends to all disabled students, asking about their satisfaction with specific University services such as departmental Disability Tutors, alternative examination arrangements, and learner support. In the DES section of the survey, students were asked to list their top three priorities for change in relation to improving support. The most commonly cited priorities in relation to support included issues relating to staff attitudes, technological and human support and communication in accessible formats.

In 2006, disabled students known to Disability Services were sent

the priorities that had been identified the previous year, and asked to suggest possible actions that the University could take in order to improve the way it works for disabled students.

Website and magazines

The Open University knew from prior research that its in-house magazines are read by the majority of staff and students, and its website is well-used as it acts as a focal point for distance learning. These media were used to help the OU involve its geographically dispersed staff and students. This gave *all* staff and students the opportunity to learn about the DES and gave disabled staff and students further opportunities for input.

Guest lecture series

The University of Northampton holds an *annual series of lectures* (www.northampton.ac.uk/news/events/), which are open to the public, on themes relating to equality and diversity. In October 2006, the first of the year's lectures will be held during *Equality and Diversity One World Week*, and will be given by Bert Massie CBE, Chair of the Disability Rights Commission. The University's Equality and Diversity Unit hopes to use this lecture as an opportunity to re-launch a network for disabled staff, students and members of the community. Representatives of organisations of disabled people have been sent personal invitations to the lecture.

The University links lectures to curricula in order to maximise student attendance. This year's lecture series has been organised by various academic and support departments, including Sociology, Law and the Chaplaincy, in conjunction with the Equality and Diversity Unit.

Surveying undergraduate decliners

Durham University surveys undergraduate 'decliners' – potential students who have been offered places on courses at Durham but turned them down - in order to identify any barriers that can be addressed to improve the application experience. Historically, this was done by paper-based questionnaire, circulated to approximately

1000 decliners. In 2006, an electronic version of the questionnaire was developed which meant it could be circulated to all decliners, rather than a sample. The Undergraduate Admissions Office and Diversity Office agreed to include a set of equalities questions and to cross-tabulate the questionnaire results against equalities dimensions. The 2006 electronic questionnaire response rate was increased by 274% on previous years, and achieved a representative return rate from disabled applicants. For information about initial survey results, see **section 6.2** below.

To engage disabled people in the DED, it can be useful to make links between their interests and the way the Duty affects and interacts with these. For example, if a Human Resources department in an HEI is aware that disabled staff are dissatisfied with the way Access to Work operates, a specific meeting could be convened with disabled staff and representatives from the local Jobcentre to explore more streamlined methods of working together.

Other ideas about building on existing mechanisms are as follows:

- give presentations on the DED to existing staff and student groups, such as clubs and societies, trade and student union groups, staff and student networks

- contact local/national impairment specific groups and other voluntary organisations who may be able to help identify disabled stakeholders

- add disability-related questions to customer comments cards or forms, training and course evaluation forms, exit interview questionnaires

- use job reviews or appraisals as an opportunity to discuss the DED and offer opportunities for disclosure of disability status

- communicate using existing media – payslips, all-staff and all-student emails, newsletters, bulletins, noticeboards, intranet and internet, posters, discussion forums.

The University of Plymouth has used email alerts as a way of publishing its various DES initiatives. The University ensured that managers cascaded the information to those staff in their functional areas who do not use email.

- build an open forum into existing equality and diversity committee

- a number of HEIs offer degrees in Equality and Diversity. They are likely to employ disabled staff and attract disabled students, and might be a good starting place for involvement.

5.2 Organisational networks and collaboration

The DRC Guidance states that public authorities may want to collectively facilitate the involvement of disabled people, to avoid overloading organisations of disabled people with requests to take part in developing Disability Equality Schemes (30).

Local HEIs based in Kent, or with campuses in Kent, established an equality network in 2005, in order to help them meet the DED through collaboration. The network is not disability-specific and will allow members to discuss issues around the public sector duties on race and gender, as well as the other equality strands. Information and details of approaches and processes, including strategies to enable involvement, are shared amongst the HEIs. The network will meet 3-4 times per year, with most communication carried out electronically.

Canterbury Christchurch University and Kent Police enjoy strong links as most recruits to Kent Police are graduates from Canterbury Christchurch. Both organisations wanted to hear the views of disabled stakeholders in the wider community. The two organisations ran a half-day involvement event, to which representatives of local advocacy organisations and organisations of disabled people were invited. Some attendees had specific links to either the University or the police force, and the majority of attendees were disabled people.

6 Reaching disabled people

6.1 Involvement to address different aspects of identity

Disabled people are not a homogenous group. Some disabled people have traditionally been harder to reach than others.

The Council of Disabled People Warwickshire, with funding from Coventry University, researched the extent to which black disabled people were able to shape public services in 2001 (see **Further Reading** below), prior to the inception of the DED. It concluded that there is a lack of involvement of black disabled people due to a lack of specific funding for this work, as this group can be excluded and overlooked by both the disability and race equality movements. To overcome this, the research recommends that HEIs and other public bodies need to recognise multiple discrimination and adopt creative involvement mechanisms in order to reach marginalised groups of stakeholders, or 'seldom heard from' groups as they are referred to in the DRC Guidance (49).

In terms of involving disabled people for the production of the DES, this could mean reaching out to BME and Lesbian, Bisexual, Gay and Transgendered (LGBT) staff networks and union groups, for example, as well as networks of disabled staff.

Thinking further about the themes of accessibility and facilitation referred to in **sections 3.3** and **3.6** above, cultural needs should be met to make involvement activities accessible. This may be in relation to dietary requirements, religious holidays, prayer times, or whether women might prefer to attend a different forum from men. Where possible, the people organising or facilitating involvement should ideally reflect the make-up of the target audience.

HEIs are increasingly considering the production of single equality schemes as a way of streamlining their work in the different equality areas and in recognition of the reality of people's complex identities. This means HEIs are likely to be planning involvement work in relation to

other equality areas. Disabled and other people need to be free to move between the types of involvement to which they feel they can best make a contribution. It is important for HEIs to think creatively about reaching out to a wide variety of networks and groups, in order to learn how multiple discrimination and barriers can be addressed in a meaningful way within institutions.

6.2 Wider stakeholders

The DRC Code of Practice states that a public authority must involve those disabled people who might have an interest in the way it carries out its functions (3.7). For an HEI, this most obviously includes disabled staff and students and disabled visitors to the institution including disabled service users. Many of the examples in this guidance have related to these stakeholders.

HEIs also have a wider group of disabled stakeholders, including potential disabled students and disabled graduates, as well as potential and former disabled staff. Considering an HEI's role in its local community, as an employer and a shaper of the community, local groups of disabled people are also stakeholders.

By developing its survey of undergraduate 'decliners' (described in **section 5.1** above) Durham University has identified three areas of particular importance to disabled applicants:

University Colleges; their ethos, facilities and staff
Attending visits or open days
The distance between home and University

Undergraduate decliners were asked whether they had chosen not to disclose an impairment, and the reason for this non-disclosure; and whether they had experienced any barriers which had led them to turn down the offer of a place.

The results of the questionnaire will be shared with Admissions Tutors to inform the University's recruitment and widening participation strategies.

Widening Participation (WP) outreach activities could reach potential students who are disabled. Disabled people are a target group for the government's WP scheme due to their under-representation in higher

education. Most HEIs will have at least one dedicated post committed to widening participation, and each geographical region runs year-round WP activities funded through *Aimhigher* (www.aimhigher.ac.uk/home/index. cfm). Many WP activities involve outreach with groups of disabled people. WP staff may have contact with local community groups, schools, colleges and work-based learning providers, and can provide useful routes into a wider community of stakeholders.

Skill, the National Bureau for Students with Disabilities (www.skill.org. uk/) facilitates regional networks which bring together practitioners in HE and disability. The purpose of the networks is to discuss issues of mutual concern, share updates on recent developments and work to improve the student experience for disabled students.

HEIs may also want to consider involving local, regional or national 'disability' organisations in their DES work. There is a difference between organisations _of_ disabled people, which are controlled and staffed by disabled people, as opposed to organisations _for_ disabled people, where non-disabled people tend to hold key posts and decision-making powers. Organisations for disabled people tend to be better known, with higher public profiles, so it is important for HEIs to actively seek out organisations of disabled people, to guarantee that the voices of disabled people are heard.

CHESS, the Consortium of Higher Education Support Services with Deaf Students, recently held a national event to explore how the HE sector can meaningfully involve D/deaf and hard of hearing people in Disability Equality Schemes. The event brought together HE staff leading on their institution's DES, with D/deaf staff and students. Details of the priorities of D/deaf staff and students which emerged from the day are available on request from the CHESS Convenor, who for 2006/7 is Sheenagh Hull (s.hull@adm.leeds.ac.uk) of the University of Leeds. CHESS aims to host another open event in Spring 2007.

The CHESS Planning Group invites any colleagues interested in D/deaf student issues to register on Deaflink (www.jiscmail.ac.uk/lists/ DEAFLINK.html) where issues relating to D/deaf students are explored, and experiences shared. D/deaf and hearing people involved in the provision or receipt of services to D/deaf students in HE attend regular Planning Group meetings to participate in discussions and express views.

Oxford University and Oxford Brookes University decided that they wanted to hear from representatives of local disabled people's groups to inform their Schemes, because several of the Universities' activities have an impact on the community. Both Universities are significant local employers, but also offer services to the community such as public museums, conference facilities and even an osteopathy clinic. A mapping exercise of local organisations of and for disabled people was carried out and of the 55 that were invited, over 30 attended. The proceedings from the day are available online (www.brookes.ac.uk/ services/hr/eod/disability/joint_consultation/index.html)

As part of its DES Action Plan, the Open University will review its positive action initiatives with regard to staff employment. The University intends to ask a number of national organisations such as the RNIB, RNID and Scope, whether they envisage ways in which the Open University's DES and action plan can support their work in this area.

6.3 The relevance of procurement activity

HEIs procure goods and services from external organisations on a significant scale. Procurement activity can help HEIs meet the DED in a number of ways, including in the duty to involve disabled people. The DRC Code gives the example of a public body commissioning a local organisation of disabled people to contribute to the development of its DES (3.17). Such organisations can be vulnerable, in that their funding is not usually guaranteed for long periods or beyond specific projects. It is therefore in the interests of HEIs and other public bodies to sustain local groups to ensure that they continue to operate, and can remain a source of expertise for public authorities in their area.

The Disability Rights Commission intends to publish a technical guidance note on procurement in relation to the DED in November 2006, but until that date the most comprehensive advice can be found in the TUC's publication, *Promoting Disability Equality* (www.tuc.org.uk/equality/tuc-12006-f0.cfm).

6.4 Involving staff with a disability remit

There are a number of specialist staff already employed in the HE sector who will have a valuable contribution to make to the DES:

- HEIs employ disability practitioners, disability liaison tutors within academic schools and departments, and HR advisors who liaise with disabled staff on issues such as Access to Work and making adjustments

- HEIs may have diversity working groups/ audit groups and disability services committees that predate the DED.

These specialist staff and committee members may have useful contributions to make in terms of identifying possible improvements to the way things are done, and by sharing their disability contacts. However, the staff described above are not necessarily disabled people. It is important to remember that while it would not make sense to overlook their contribution to the development of the DES, non-disabled people in such roles cannot replace the need for the involvement of disabled people themselves. This principle also applies to disabled people's assistants, partners and family members.

Follow-up

Please contact ECU's Disability Team if you would like to discuss the contents of this guidance, or to tell ECU about examples of how your own institution involves disabled people. We welcome contact from the sector and endeavour to share practice examples through our website and publications such as this one.

The Disability Team can be contacted at
Email disability@ecu.ac.uk
Telephone 020 7438 1010

Further reading

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DRC *The Duty to Promote Disability Equality Statutory Code of Practice England and Wales* (www.drc-gb.org/employers_and_service_provider/disability_equality_ duty/getting_started/codes_of_practice.aspx*)* (2006)

DRC *Guidance for Public Authorities on How to Effectively Involve Disabled People* (www.drc-gb.org/employers_and_service_provider/disability_equality_ duty/getting_started/involving_disabled_people.aspx) (2006)

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TUC *Monitoring Disability: Advice from the TUC* (www.tuc.org.uk/equality/tuc-9664-f0.cfm) (2005)

Involving Disabled People in Disability Equality Schemes

Briefing Paper for the Higher Education sector