



SCOTTISH EXECUTIVE

Health Department

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NHS
MEL(1999)67

Dear Colleague

THE DISABILITY DISCRIMINATION ACT (1995) – EQUALITY FOR DISABLED PEOPLE IN THE NHS – GOOD PRACTICE

Summary

1. A Good Practice Guide to support the implementation of Section 21 of the Disability Discrimination Act (DDA) within the NHS is enclosed.
2. A training video (produced by the Department of Health in England for hospital Trusts and other healthcare organisations) about the needs of deaf and hard of hearing people using hospital services is also enclosed for General Managers of Health Boards and Chief Executives of NHS Trusts.
3. NHS MEL (1998) 80 gave advance notification of the preparation of the enclosed guide and video together with details of the requirements under Section 21 of the DDA and the implementation programme.

Action

4. Addressees should ensure that this notice and good practice guidance is brought to the attention of all appropriate staff within their area of responsibility.
5. Primary Care Trust Chief Executives should also arrange for a copy of this letter and the guide to be made available to all primary care practitioners and to the relevant professional advisory committees.
6. All health services, including NHS Trusts, primary care practitioners and community services, are covered by the provisions of the DDA.
7. Addressees are advised to seek their own legal advice on the implications of the DDA for them as service providers and employers.

NHS Management Executive
St Andrew's House
Regent Road
Edinburgh EH1 3DG

10th September 1999.

Addressees

For action:
General Managers,
Health Boards

Chief Executives,
NHS Trusts

Chief Executive
Scottish Ambulance Service Board

General Manager,
State Hospital Board for Scotland

General Manager,
Common Services Agency

For information:
Estates Environment Forum

Executive Director,
SCPMDE

Local Health Councils

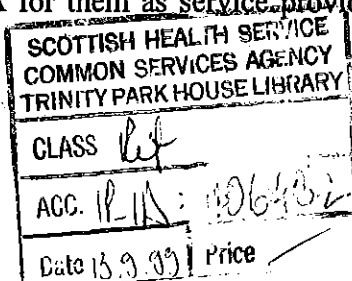
Further copies from:

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For information on Scottish
Health Facilities Notes or
Premises Audit Checklists contact:

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ISBN 0 7480 9103 3

8. Annex A lists some of the key physical barriers identified as a result of consultation with disability groups and disabled people with recent experience of the NHSiS.

9. An update of other material available is also given at Annex A.

10. An electronic version of the enclosed guidance can be accessed on Scottish Health on the Web (www.show.scot.nhs.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Woods', written in a cursive style.

DR KEVIN J WOODS
Director of Strategy and Performance Management

IMPLEMENTING SECTION 21 OF THE DISABILITY DISCRIMINATION ACT (1995)

1.1 Key barriers

1. The following key physical barriers, identified as a result of consultation with disability groups and disabled people in Scotland with recent experience of the NHSiS, may be of help to appointed disability services advisers and in the planning of local strategies to address disability issues:

- car parking;
- signage;
- absence of trained assistants;
- lack of assistive technology (including induction loop systems, audio-visual paging systems, text phones);
- information in accessible media;
- inaccessible toilets and bathing facilities;
- poor physical access generally.

2. Common to all disabilities and one of the largest single barriers identified by disabled people was that of inappropriate staff attitudes and behaviour.

1.2 Implementation plan

1. It is recommended that a programme for implementation of Section 21 should be drawn up. This should include:

- The nomination of a senior member of staff or Board member who will have the necessary authority and overall responsibility for co-ordinating an implementation plan.
- Communication of the implications of the DDA to all existing staff.
- Ensuring that all existing staff receive disability awareness training and that induction programmes for new staff are reviewed.
- Physical access audits of premises (an access audit checklist is being prepared by the Estates Environment Forum and it is hoped this will be available within the next few weeks).
- Consultation of local disability groups and a planned and costed programme of works drawn up ensuring that auxiliary aids and equipment are included.

- Purchase and provision of auxiliary aids and equipment, as necessary, to assist disabled patients.
- Ensuring that ongoing refurbishment complies with the DDA.
- A review of existing complaints procedures to ensure that they are fully accessible to all disabled people, regardless of impairment.
- A review, and where necessary, revision of all information produced for the public to meet minimum disability accessibility criteria.
- A review of existing systems and types of pre-visit information to ensure that such information addresses the needs of disabled people generally and responds effectively to previously identified specific needs.
- Publicising the implementation plan within the local community.
- Establishment of a consultation group of disabled people to monitor and inform the implementation programme.

1.3 Other materials

1. The Estates Environment Forum is preparing an **Access Audit Checklist** to provide a standardised audit tool for use in a range of NHS buildings for the NHS in Scotland. It is hoped that this will be available for issue to Forum members within the next few weeks.

2. **Scottish Health Facilities Note 14** "Disability Access" and **Scottish Health Facilities Note 20** "Access Audits of Primary Healthcare Facilities" have now been issued to all Forum members by the NHSiS Estates Environment Forum at the address given on the front page of this Management Executive Letter. Further copies can be purchased from the Healthcare Engineering and Environment Unit.