



SCOTTISH EXECUTIVE

Health Department
Directorate of Performance Management
and Finance

Dear Colleague

THE DISABILITY DISCRIMINATION ACT (1995) IMPLEMENTATION OF SECTION 21: ACCESS TO GOODS AND SERVICES ACCESS AUDIT PROGRESS

Summary

1. The purpose of this letter is to provide colleagues with an overview of the information supplied by Trusts and other Holding Bodies on their progress (as at 14 February 2003) in undertaking access audits of premises in the context of Section 21 of the Disability Discrimination Act (1995), (Annex A).

Action

2. Colleagues will already be aware of the information contained in this letter in respect of their own property portfolio and will have appropriate management responses under action to address any identified shortcomings as arising from these access audits or already identified within their Property Strategies.

Background

3. [NHS HDL\(2002\)80](#), issued on 1 November 2002, provided a summary of the progress recorded to that date on the implementation by NHSScotland of Section 21 of the Disability Discrimination Act (1995), based upon the information provided during a Service-wide survey undertaken in March 2002. HDL(2002)80 also required NHSScotland Health Bodies to submit to the Department further reports on the progress of access audits of premises from which NHS services are provided categorised as per the care groups outlined within Paragraph 10.1 of Annex A to HDL(2002)80. A further letter, dated 14 January 2003, reminded colleagues of the requirement to respond by 14 February 2003.

8th July 2003

Addresses

For action

Chief Executives, NHS Boards
Chief Executives, NHS Trusts
Chief Executive, State Hospitals
Board for Scotland
Chief Executive, NWTC Board
Chief Executive, Common Services
Agency
Chief Executive, Scottish Ambulance
Service Board
Chief Executive, NHS Health
Scotland
Chief Executive, NHS Education for
Scotland
Chief Executive, NHS Quality
Improvement Scotland
Chief Executive, NHS 24
Estates Managers, NHS Trusts

Enquiries to:

Ian Grieve
Property Branch
Property and Capital Planning
Division
St Andrew's House
EDINBURGH EH1 3DG

Tel: 0131-244-2777
Fax: 0131-244-2323
Email:
ian.grieve@scotland.gsi.gov.uk

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4. The results do not give a complete picture of progress within NHSScotland as only 64% of NHS Trusts & Island Health Boards and 33% of NHS & Special Boards responded to the survey, although it must be said that of the NHS & Special Boards which failed to respond, 5 recorded that 100% of access audits had been carried out within the previous March 2002 survey return and have therefore been included in the results tables at Annex A. Other NHSScotland Bodies which failed to respond to the 2003 survey do not appear in the results tables.

Other information

5. Given that compliance with the Disability Discrimination Act (1995) is a legal requirement and thus will be part of a Holding Body's continuing management plan to address compliance with statutory standards within a Property Strategy, the Scottish Executive Health Department Property and Capital Planning Division intends to initiate direct contact with those NHSScotland Bodies who have, as yet, failed to respond to the Department's request for information on access audit progress.

Independent contractors

6. A number of respondents to the survey indicated a lack of clarity over their responsibility with regard to the auditing of premises owned by independent contractors providing NHS services: **the responsibility for compliance ultimately lies with the contractor as provider of the service**. However, Holding Bodies should advise independent contractors providing NHS services as to their responsibilities under the Act and, in the case of GPs, set appropriate local budgets in order to establish prioritised programmes for compliance within the overall local service strategy. Provision is already well established to ensure compliance by GPs and is available to Holding Bodies through the [Statement of Fees and Allowances](#) (Red Book). Arrangements for the transfer of patients, e.g. where a practitioner is unable to provide a compliant service, are also contained within the Red Book.
7. [NHS Circular PCA\(2003\)4](#), issued on 21 March 2003, gave details of a programme of special funding for 2003-4 only for a scheme to develop community pharmacy contractor premises by improving patient access and security and also provided guidance for local community pharmacy premises initiatives.
8. For further information and advice with regard to auditing GP, pharmacy, ophthalmic and dental practitioner premises, please contact:

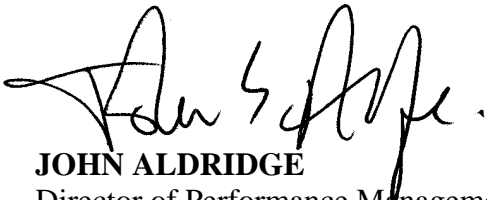
The Scottish Executive Health Department
Directorate of Service Policy and Planning
Primary Care Division
St Andrews House
Regent Road
Edinburgh EH1 3DG
Tel: 0131 244 1779

Health Department DDA Website

9. The Scottish Executive Health Department has established a new website to help facilitate compliance by NHSScotland with the Disability Discrimination Act (1995) and improve the service that NHSScotland provides to disabled people. The site provides information and links to current guidance and will be expanded to facilitate the dissemination of examples of good practice. The site can be found at:

<http://www.show.scot.nhs.uk/hdda/>

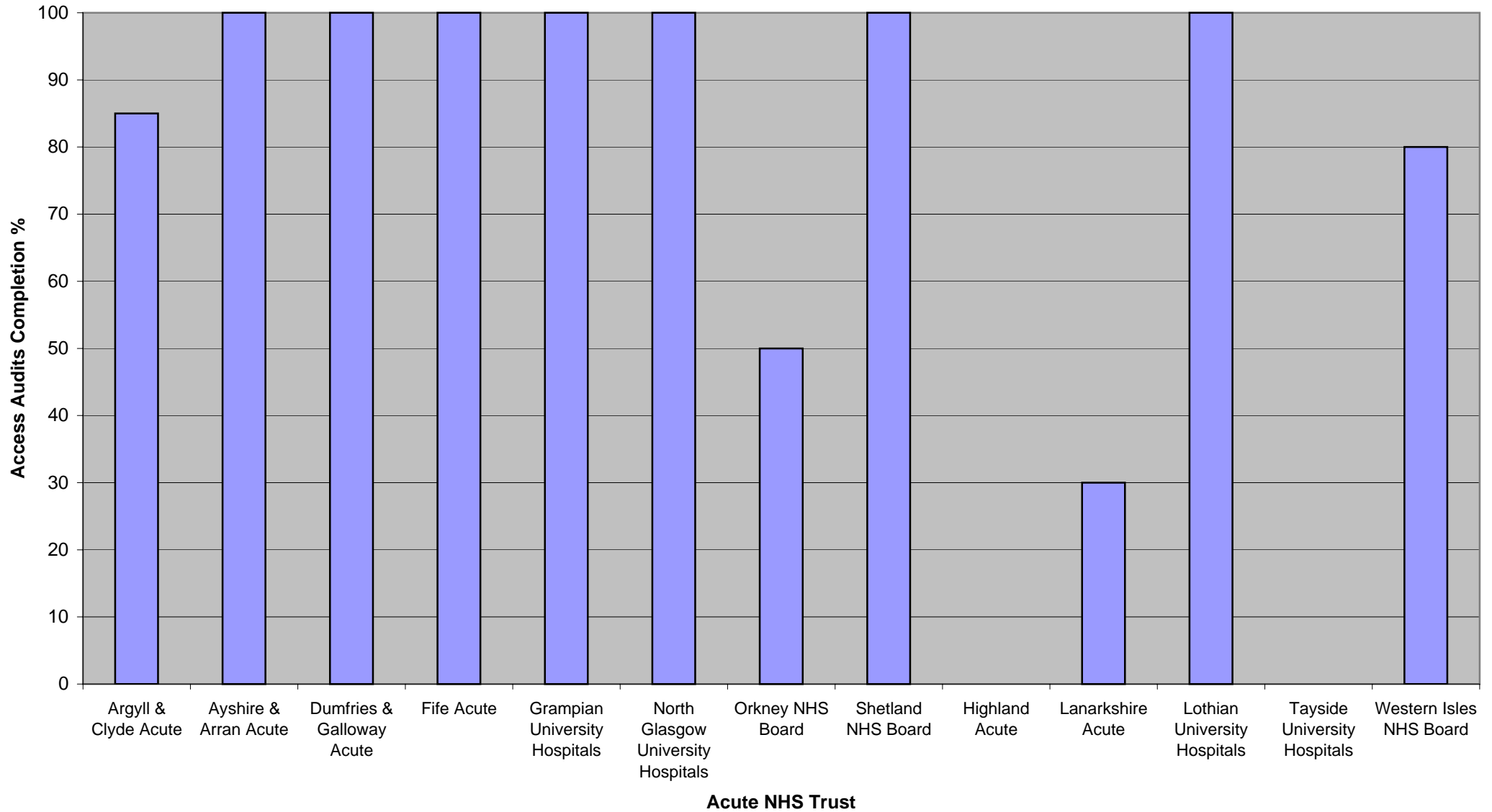
Yours sincerely



JOHN ALDRIDGE

Director of Performance Management and Finance

**Disability Discrimination Act 1995
NHSS Premises Access Audit Progress as at 14 February 2003
NHS Trusts - Acute**

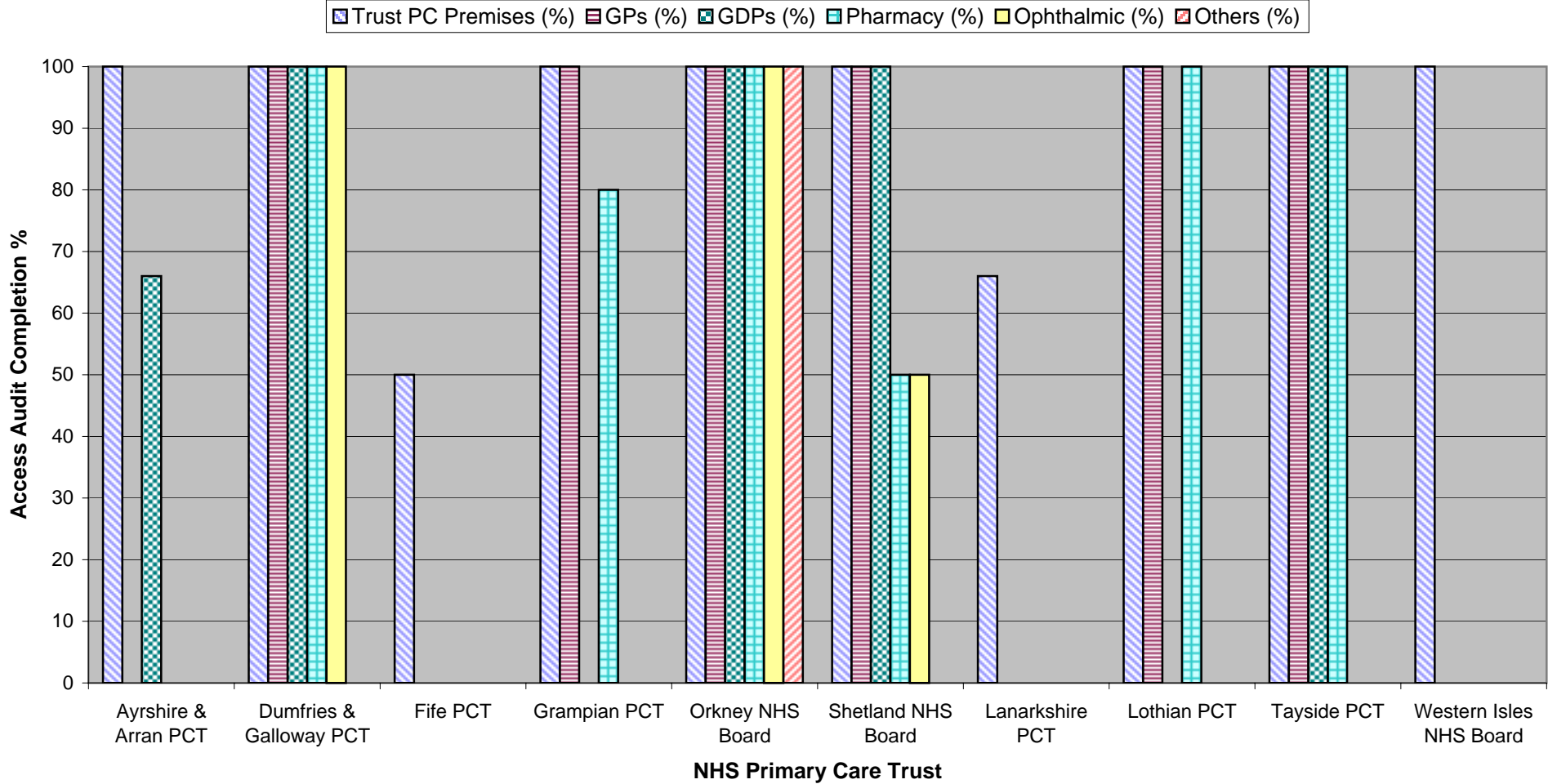


**Disability Discrimination Act 1995
NHSS Premises Access Audit Progress as at 14 February 2003
NHS Acute Trusts**

NHS Acute Trust	% Complete
Argyll & Clyde Acute	85
Ayshire & Arran Acute	100
Dumfries & Galloway Acute	100
Fife Acute	100
Grampian University Hospitals	100
North Glasgow University Hospitals	100
Orkney NHS Board	50
Shetland NHS Board	100
Highland Acute	0
Lanarkshire Acute	30
Lothian University Hospitals	100
Tayside University Hospitals	0
Western Isles NHS Board	80

Access Audit Progress Table %

**Disability Discrimination Act 1995
NHSS Premises Access Audit progress as at 14 February 2003
NHS Trusts - Primary Care**

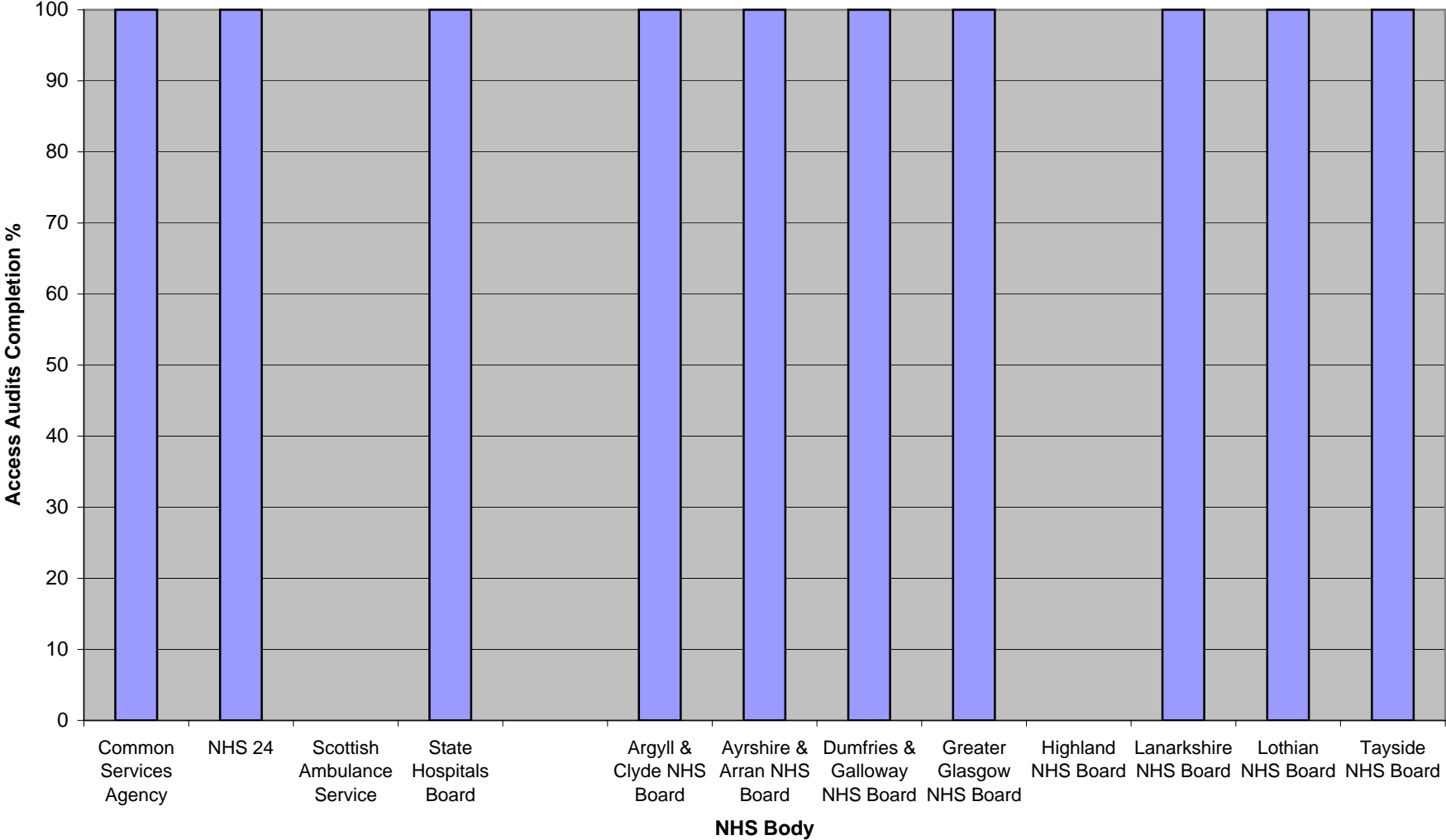


**Disability Discrimination Act 1995
NHSS Premises Access Audit Progress as at 14 February 2003
NHS Trusts - Primary Care**

NHS Primary Care Trust	Trust PC Premises (%)	GPs (%)	GDPs (%)	Pharmacy (%)	Ophthalmic (%)	Others (%)
Ayrshire & Arran PCT	100	0	66	0	0	
Dumfries & Galloway PCT	100	100	100	100	100	
Fife PCT	50	0	0	0	0	0
Grampian PCT	100	100	0	80	0	0
Orkney NHS Board	100	100	100	100	100	100
Shetland NHS Board	100	100	100	50	50	
Lanarkshire PCT	66	0	0	0	0	0
Lothian PCT	100	100	0	100	0	0
Tayside PCT	100	100	100	100	0	0
Western Isles NHS Board	100	0	0	0	0	0

Access Audit Progress Table %

**Disability Discrimination Act 1995
NHSS Premises Access Audit Progress as at 14 February 2003
NHS & Special Health Boards**



**Disability Discrimination Act 1995
NHSS Premises Access Audit Progress as at 14 February 2003
NHS and Special Health Boards**

NHS/Special Boards	% Complete
Common Services Agency	100
NHS 24	100
Scottish Ambulance Service	0
State Hospitals Board	100
Argyll & Clyde NHS Board	100
Ayrshire & Arran NHS Board	100
Dumfries & Galloway NHS Board	100
Greater Glasgow NHS Board	100
Highland NHS Board	0
Lanarkshire NHS Board	100
Lothian NHS Board	100
Tayside NHS Board	100

Access Audit Progress Table %