



NATIONAL GALLERIES OF SCOTLAND

Disability Equality Scheme

June 2007

Version 2: Revised August 2007

1 Introduction

1i The National Galleries of Scotland (NGS) has five buildings across three sites in Edinburgh, each home to different parts of the national collection of fine art and also to special temporary exhibitions. The collections are free to the public and open daily. They are accessible online at www.nationalgalleries.org/collections. We also operate an accessible art store which is open to the public by appointment at Granton, and work in partnership with Historic Scotland and Aberdeenshire Council to operate Duff House in Banff, and with Paxton House near Berwick upon Tweed. Our core values as outlined in our Strategic Review are excellence, innovation, inspiration, service, creativity and integrity, all of which contribute directly to the Disability Equality Scheme. Our three sites are;

1ii The National Gallery Complex

Situated on the Mound in the heart of Edinburgh, this complex comprises the National Gallery of Scotland, home to works from the early Renaissance to the late 19th century. It is also home to a comprehensive collection of Scottish Art. The second major part of the complex is the Royal Scottish Academy Building, the venue for exciting temporary exhibitions held by both the NGS and other exhibitors. The final part of the complex is the Weston Link, which is accessible from and interconnects both galleries, and is home to a range of visitor services, as well as state of the art spaces for a host of educational activities.

1iii The Scottish National Portrait Gallery

Sited on Queen Street in the city centre, the Scottish National Portrait Gallery (SNPG) provides a unique visual history of Scotland, told through the portraits of those who shaped it, and was the first purpose built portrait gallery in the world. It is also home to the national collection of photography and regular temporary exhibitions are held there.

1iv Modern Art Galleries

Home to Scotland's national collection of modern and contemporary art, the Modern Art Galleries include the Gallery of Modern Art and the nearby Dean Gallery. The Gallery of Modern Art shows special exhibitions and works from c.1900 to the present day, while the Dean Gallery shows works from the

Gallery's internationally renowned Dada and Surrealist collection alongside pieces by Eduardo Paolozzi, as well as major exhibitions.

- 2 The Disability Equality Duty
- 2.i The Disability Discrimination Act 2005 means that from December 2006 all public bodies will have a duty to promote disability equality. It aims to change the way our laws work in this area, from responding to individual disabled people making a complaint to expecting the public sector to be positive in removing barriers.
- 2.ii The Act sets out what is known as the general duty and that public authorities must, in carrying out their functions, have due regard to:
 - i) Promote equality of opportunity between disabled persons and other persons;
 - ii) Eliminate discrimination that is unlawful under the Act;
 - iii) Eliminate harassment of disabled persons that is related to their disabilities;
 - iv) Promote positive attitudes towards disabled persons;
 - v) Encourage participation by disabled persons in public life;
 - vi) Take steps to take account of disabled person's disabilities, even where that involves treating disabled persons more favourably than other persons.
- 2.iii If a public authority does not comply with the general duty, its actions, or failure to act, can be challenged by means of a claim to the High Court for judicial review. A claim for judicial review could be made by a person or a group of people with an interest in the matter, or by the Disability Rights Commission.
- 2.iv The definition of disability is that used in the Disability Discrimination Act 1995, and applies to a wide range of disabilities (from people with Alzheimer's and arthritis, to those with learning disabilities, depression, diabetes, cancer, difficulties with sight or hearing etc). It is essential that the Galleries consider the impact of their decisions on the full range of disabled people.
- 2.v The purpose of the Disability Equality Scheme and Disability Action Plan, is to help the NGS achieve equality in employment, service provision, access to premises and education. The

Scheme sets out our overall objectives for improving and addressing disability inequalities, and our plans to deliver improvements to access and services. It will help us achieve a number of goals:

- i) Focus upon and meet our requirements under the DDA, setting out our plans to improve disability access to employment and services;
 - ii) Make sure that we take the needs and views of disabled people into account when we design or deliver services, make access improvements or develop policies;
 - iii) Continuously measure, monitor and improve the ways in which we deliver services to disabled people;
 - iv) Build a positive and disability confident culture, with a common understanding and approach through which we can integrate disability issues into everyday work;
 - v) Learn what works well on disability equality and what doesn't, and create ways for sharing this knowledge with our partners
- vi This document aims to show how, through changing attitudes, the development of partnerships and increased expertise, the NGS can continue to be proactive in recognizing and removing the barriers which disabled people face in accessing the NGS and its collections.
- 3 NGS Disability and Access strategy
- 3i Access: To offer the widest and most appropriate forms of access to the NGS collections, expertise, facilities and services, actively working to overcome physical, sensory, intellectual, cultural, attitudinal and financial barriers which prevent this.
 - 3ii Inclusion: To work in partnership with others to help tackle social inequality, discrimination and disadvantage; empowering communities, improving the quality of people's lives, contributing to social cohesion and acting as a catalyst for cultural and social change.
 - 3iii Diversity: To embrace and reflect diversity, harnessing the potential of all stakeholders (staff, volunteers, existing and potential audiences, key partners) in the development of a truly

inclusive NGS which inspires, promotes learning, creativity and participation.

4 Disability

- 4i Government figures estimate that in the United Kingdom there are approximately 11 million people (15% of the population) who may be considered disabled. A majority of this figure, 75%, are of pensionable age. At least one in four people in the U.K have a disability or are close to someone who is disabled. By 2020 one third of the population will fall into this group.
- 4ii Disabled people are amongst the poorest people in society. Only 50 percent of disabled people of working age are in employment compared to 87 percent of non-disabled people of working age.
- 4iii Of the NGS workforce, approximately 2% of employees have identified themselves as having a disability. This equates to 6 members of staff (as at April 2007).

5 Consultation

- 5i The NGS has an Access group with a variety of internal and external stakeholders from a cross section of disabilities, which will enable us to evaluate services, facilities, policies and practices and seek practical advice to enable the NGS to become more inclusive. NGS consults and collaborates with this group and actively seeks suggestions and recommendations from them. This group reports into the wider NGS Audience Development Group, and to a specialist internal working group who will take forward suggestions and recommendations in their own work area and with their teams. The Access Group is made up of NGS staff with either a disability or those who work closest with disabled stakeholders, and of professionals external to NGS who work with groups and consult with their users as well as individuals with a disability who use the galleries. So far the group collaborated in the formation of the NGS Action Plan by assisting with the purchase and testing of personal listeners, the signage audit around the National Gallery Complex, providing advice and recommendations on physical access issues, reinforcing that internal stakeholders have a sound understanding of why awareness should be central to NGS organisational culture,

- making significant recommendations with regard to procurement policy, recommending service providers and preferred formats for some Action plan initiatives, and providing feedback on all other NGS Action Plan items generated internally. This group will continue to add suggestions as well as assess the impact of any implementation going forward.
- 5ii In 2003 the NGS commissioned the Adapt Trust to audit all premises in order to highlight access issues. Adapt are also being used currently to advise on access in the plan to redevelop the SNPG.
- 5iii Some NGS induction loop systems (fixed and portable) have been tested by a local user group for effectiveness, and this group will test more going forward. These are also tested by the NGS Audio Visual Technician on a regular basis.
- 5iv The NGS recognises three unions for the purposes of collective bargaining, consultation and information. They are
- PCS
 - Prospect
 - FDA

The NGS works closely with the unions on any new employment related policies and procedures they are introducing, and will consult with the unions over any disability equality issues they are aware of on behalf of the staff. The NGS will continue to involve the unions in the development of new policies as part of the impact assessment process.

6 Action Plan

- 6i The NGS will form an Action Plan (Appendix 1) to ensure that the NGS is developing practices and procedures which ensure that the needs of disabled people are considered as a matter of course and to ensure that discrimination does not take place. The Plan will be monitored by the Director-General who will report progress to the NGS Management Group and Board of Trustees. A report will be produced annually to monitor progress, assess priorities, and will include suggestions for the coming year. This will be published on the NGS website. The Plan is a working document, with achievable goals being set for the first period, moving onto longer term developments over

- time. The NGS recognises the need for continued development in this area, but notes that some areas will require more attention than others.
- 6ii The Action Plan will be monitored by the NGS Audience Development Group, and any visitor initiatives will consider the impact of the Action Plan.
 - 6iii The Action Plan will also feed into and be fed by the NGS Learning and Access Policy.
 - 6iv The NGS Access Group will assess the impact of any initiatives, assist with recommendations, and will monitor the impact of any implementation on both visitors and staff.
 - 6v Disability equality will regularly be placed on the agenda for trade unions meetings, and the trade unions will play a role in monitoring the progress of the Action Plan.
 - 6vi NGS will continue to carry out equal opportunities monitoring of its recruitment process to ensure no element of discrimination takes place.
 - 6vii NGS will carry out an equal opportunities audit across all staff and report annually on the results.
 - 6viii Other monitoring will take the form of visitor comments, mystery visits, STB Grading reports and market research. We will also undertake to conduct impact assessments in accordance with the Disability Rights Commission advice. Evidence gathering is part of the process of achieving greater equality for disabled people, treating employees, service users and members of the community more fairly and with respect. Gathering evidence is both a specific requirement within the Disability Equality Scheme, and an indispensable prerequisite for complying with other aspects of the duty.
 - 6vi The monitoring process will
 - i) Assess performance;
 - ii) Carry out effective impact assessments;
 - iii) Identify barriers to good performance and actions for improvement, review progress and adjust actions as appropriate;
 - iv) Set targets for improving outcomes;
 - v) Benchmark against other peer organisations.

7 Current Provision

- 7i The NGS has long recognised the requirement to meet the needs of disabled people, both visitors and staff. While current provision is of a good standard, we must continually adapt and improve in order that we are as inclusive as possible and strive to avoid discrimination.
- 7ii Physical Access; This is an area the NGS has invested heavily in. All sites (including the Granton Store) are fully accessible by wheelchair users at all levels (with the exception perhaps of the SNPG where we acknowledge access is more difficult. We hope to address this as part of the proposed redevelopment scheme as it requires major capital outlay). All sites have ramps to an entrance point in keeping with the listed building requirements. All sites (bar the SNPG due to the city centre location) have allocated disabled parking spaces which allow an unassisted wheelchair user to access the buildings. There are self propelling wheelchairs available to borrow at all sites. Disabled and less mobile people are accounted for in our fire action plan with evacuation chairs available at all sites. All sites have accessible toilets.
- 7iii Hearing Assistance - All customer facing access points have induction loops, as do the Lecture Theatre and Clore Education Room 1 in the Weston Link and all libraries and print rooms and also the “Gymnasium” area where we train staff. In addition there is a “personal listener” loop system for use mainly at the National Gallery Complex but which can be used elsewhere in the estate if required. The Education Department regularly holds tours interpreted in BSL (ten in 2006) and holds workshops for lip reading groups. One to one sessions can take place in, or small groups can have tailored visits to the print rooms and libraries.
- 7iv Signage and floor plan – all accessible entrances and toilets are included on these. All accessible entrances and toilets are signed.
- 7v Visual Assistance – Large print labels are available for all special exhibitions. Regular tours and workshops take place for visually impaired people including touch tours where practical. One to one sessions can take place or small groups can have tailored visits to the print rooms and libraries. Audioguides and downloadable podcasts are available for some exhibitions. The IT Gallery at the Mound Complex is designed using a touch

screen interface for use by people with a wide range of physical abilities, and each image has a magnifier facility to view works in at double the size of the standard large images. The National Galleries of Scotland's website was developed to be compliant with the highest levels of accessibility (WCAG AAA) and usability, and is compatible with all web browsers and associated technologies. The website has been audited externally for usability and accessibility, including assessments by a blind accessibility consultant.

7vi The Education Department works with adults and children who have different needs and learning styles, including users/ attendees of Special Schools, Day Centres for people who have physical or learning disabilities, or mental health problems, and other charitable groups.

8 Employment and Training

8i The Disability Discrimination Act makes it unlawful to discriminate against an individual on any grounds related to disability, and gives disabled people rights in all areas of employment, namely: recruitment, terms and conditions of employment, transfer, training, promotion, dismissal and general treatment at work, including the right not to be harassed on the grounds of disability. In addition to making discrimination on grounds related to disability unlawful, the DDA 1995 places an obligation on the NGS to make reasonable adjustments to the working environment, working arrangements, working conditions and working practices in order to accommodate the needs and requirements of disabled employees and prospective employees.

8ii Recruitment – As an Equal Opportunities Employer, the NGS welcomes applications from a diverse range of candidates and utilises an Equality Monitoring Form to track this. We enquire about access requirements on invitation to interview. Line Managers involved in recruitment are trained on interview skills and requirements.

8iii Reasonable Adjustment - The NGS takes seriously the requirement for “reasonable adjustment” for staff with access requirements and has made changes in working practice and to building fabric to support staff, whether they have been

- employed with an existing disability or have developed a disability during the course of their employment. We give serious considerations to requests for flexible working patterns from all staff. The NGS employ a Welfare Officer and have an Occupational Health provider who can advise and assist on disability issues and any need for reasonable adjustment, including, where appropriate, flexible working conditions for staff returning to work after a period of absence. There is a published grievance procedure for any staff who feel they have been discriminated against or treated unfairly.
- 8iv Training – Disability Equality and Awareness Training is part of our Induction process. Some staff, for example Education and Information staff have undertaken more specialised training in topics such as Deaf and Visual Awareness or BSL. All training is accessible to disabled participants, with accessible venues and material available in appropriate formats.
- 9 Buildings and Facilities
- 9i During any major refurbishment or reconstruction, we have consulted with an access auditor, as noted above with the SNPG project currently underway.
- 9ii All construction or refurbishment of the NGS sites must comply with:
- i) Scottish Building Standards
 - ii) British Standard 8300 (BS 8300): The Design of Buildings and Their Approaches to Meet the Needs of Disabled People.
 - iii) British Standard 5588/8 (BS5588/8): Means of Escape for Disabled People
- 9iii As part of our Fire Risk Assessments we provide evacuation chairs, audible and visual alarms, refuge points, communication points in refuges in the Royal Scottish Academy Building and Weston Link, and full staff training in assisting those who require it.
- 10 Procurement
- A key factor of the Disability Equality Scheme is for public authorities to integrate procurement into everyday business. The Statutory Code of Practice published by the Disability Rights Commission states:

“Public authorities enter into large numbers of contracts with private and voluntary organisations for goods, works, services and staff.

Sometimes the nature of a function, which is contracted out, will mean that the contractor is itself carrying out the public authority function. In such a case, the public authority will be responsible for meeting the duty in relation to the procurement process, and the monitoring of the contract. The contractor itself will be bound by the general duty in relation to its carrying out of the function.

In many situations, however, the contractor will not be performing a public function, but will merely be providing services on behalf of the public authority. In such situations, the obligation to comply with the duty in relation to the function remains with the public authority that contracts out the function. This means that public authorities will need to build relevant disability considerations into the procurement process, to ensure that the public authority is meeting the disability equality duty in relation to this function. Steps, which will assist public authorities in ensuring that they meet their obligations, include:

- 10i) Revising any standard terms and conditions which they have for contracting their services to include information about the Disability Discrimination Acts 1995 and 2005;
- 10ii) Ensuring that relevant government guidance on social or equality issues in procurement is considered;
- 10iii) Including a requirement in every contract that the contractor must comply with the anti-discrimination provisions of the Act;
- 10iv) Where relevant, specifying what evidence the contractor may need to gather for the authority to demonstrate its compliance with the general or specific duties;
- 10v) Ensuring that disability equality is appropriately reflected, and given due weight, in the specification, selection and award criteria, and the contract conditions, in a way which is consistent with EC and UK procurement rules;
- 10v) Ensuring that contractors fully understand any disability equality requirements of the contract;
- 10vii) Monitoring performance of disability equality where relevant to the contract;
- 10viii) Providing training for all staff involved in procurement work.

11 Resources

- 11.1 Making the NGS accessible in all aspects of staff and visitor provision has inevitable financial implications. However, careful planning, and incorporating access solutions into the initial planning stage of any project will enable the NGS to avoid incurring extra costs later.
- 11.2 To achieve the actions in the Action Plan (Appendix 1), and the duties set out in the Disability Equality Duty, extra finances will be needed to attain the required goals.
- 11.3 The NGS must continue to make the necessary staffing and financial commitment to projects which will benefit disabled people. The NGS will be able to maximise this commitment by integrating disability procurement and ongoing maintenance programmes.

Appendix I

Action Plan: 2007 – 2009

Action	Responsible Officer	End Date	NGS DES Section
Workshops for Heads of Departments to discuss impact of DES	Head of Secretariat/ Front of House Manager	August 2007	8 Employment and Training
DES briefed to all staff formally at next general staff briefing	Director General	August 2007	8 Employment and Training
Policy for incorporating DES into NGS procurement and tendering agreed.	Head of Finance/Head of Buildings	August 2007	10 Procurement
Roll out of NGS information to a wider variety of user groups via existing networks	Head of Marketing/Front of House Manager	August 2007	3 Disability and Access
Equality awareness session for managers.	Head of Human Resources	August 2007	8 Employment and Training
Make information available for pick up or mail out in a wider variety of formats	Head of Marketing	September 2007	3 Disability and Access
Incorporate Impact Assessment into all policies	Head of Human Resources	September 2007	8 Employment and Training
Review of external signage at all sites	Gallery Directors/ Head	September 2007	7 ii Physical Access

directing accessible entrances	of Buildings/ Head of Marketing		
Induction training to include disability awareness and etiquette	Head of Human Resources	October 2007	8 Employment and Training
Develop Diversity Policy for all staff.	Head of Human Resources	October 2007	8 Employment and Training
Discrimination and equality training for all staff involved in recruitment	Head of Human Resources	December 2007	8 Employment and Training
Diversity awareness sessions set up for all staff	Head of Human Resources	December 2007	8 Employment and Training
Conduct equal opportunities audit across all staff, including new starts on an on-going basis, and report annually.	Head of Human Resources	January 2008	8 Employment and Training
Development of Online Collections and other online services into accessible formats	Head of New Media Services	Ongoing	3 Disability and Access
Training of external staff to include DES, eg main contractors, catering franchises, freelance education workers, external exhibitors, volunteers	Head of Owner Dept.	Ongoing	8 Employment and Training 3 Disability and Access

Use of specialised freelance staff with specific expertise	Head of Education	Ongoing	8 Employment and Training
Continued expansion of the variety of groups the NGS works with, constantly assessing the needs of our disabled audiences	Head of Education	Ongoing	3 Disability and Access 5 Consultation
Interpretation to be reviewed as part of wider Learning and Access Policy	Director of NG/Head of Education	June 2008	3 Disability and Access 5 Consultation
Roll out of personal listeners across the NGS (currently only available at the National Gallery Complex)	Head of Buildings/ Head of Education	December 2008	7 iii Hearing Assistance
NGS Branding Exercise to focus on DES issues and make provision for this	Head of Marketing	Summer 2008	3 Disability and Access 5 Consultation
Undertake assessments for desks and offices.	Head of IT	December 2007	3 Disability and Access 8 Employment and Training
Roll out of large print labels for permanent collection works	Gallery Directors	Ongoing	3 Disability and Access
Creating a structure to share knowledge and best practice with other organisations and	Heads of Departments	December 2008	5 Consultation

institutions.			
Scottish National Portrait Gallery project to tackle limited physical access and improve on other areas such as sensory access and interpretation	SNPG Gallery Director	2009 - ongoing	5 Consultation 9 Buildings and Facilities 10 Procurement

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