



COUNCIL EXECUTIVE

PROPOSED AMENDMENT TO THE WEST LOTHIAN LEISURE CONCESSIONARY ACCESS SCHEME

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

To invite the Council Executive to consider expanding the qualification for the existing joint West Lothian Council and West Lothian Leisure Concessionary Access Scheme.

B. RECOMMENDATION

That West Lothian Council work with West Lothian Leisure to expand the criteria of the existing Concessionary Access Scheme to include West Lothian residents, who are in receipt of the following disability benefits: Attendance Allowance, Disability Living Allowance, Incapacity Benefit (including Employment and Support Allowance), Armed Forces Compensation Scheme (AFCS) or War Disablement Pension (WDP).

That the expanded scheme is introduced as an initial 12-month pilot to enable an evaluation of the proposed new arrangements. Consideration will be given to the impact on people with disabilities and also any financial implications for West Lothian Leisure.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs
	Being honest, open and accountable
	Providing equality of opportunities
	Making best use of our resources
	Working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Disability Discrimination Act (amended 2005).
	Disability Equality Duty.
	Equality Impact Assessment.
	Equality in Employment and Service Provision policy.

III Resources - (Financial, Staffing and Property)	Will be carried out within existing resources.
IV Consultations	Culture and Leisure PDSP
	West Lothian Leisure Board
	West Lothian Council Equality Officer
	Disability West Lothian
	Other Leisure Trusts and Local Authorities.
	Social Policy Community and Information team
	Adults and Older People Service Development Officers

D. TERMS OF REPORT

1 Background

An approach has been received from Members of the Board of West Lothian Leisure and a number of individual local Councillors to see if it is possible to respond in a positive fashion to requests for concessionary access, to West Lothian Leisure facilities, for veterans of HM Forces disabled while on active service.

The concessionary access scheme provides a 50% reduction in the cost of Pay per Visit charges and was developed and introduced jointly by West Lothian Council and West Lothian Leisure. It is administered directly by West Lothian Council via the CIS Centres and forms are available at CIS Centres, WLL Sports and Leisure facilities, Libraries and Community Education Centres.

The current concession scheme is aimed at residents of West Lothian who are defined as financially disadvantaged and encompasses those in the community in receipt of a range of state benefits defined by the Council and State Benefits Agency. The scheme is currently available to residents in receipt of benefits for Council Tax, Job Seekers Allowance (income based), Housing Benefit and Income Support. Dependent children up to and including 17 years of age are also eligible for inclusion in the scheme. Disability on its own is not one of the criteria for eligibility.

2 Benchmarking

The approach that has been made is therefore out-with the current concession scheme conditions and is based not solely on financial grounds. Research of other Scottish Leisure Trusts and UK local authorities indicates that such a concession would be covered by a more general concession aimed at persons with a disability.

It is the case that a number of Local Authorities and Scottish leisure trusts do provide concessions to disabled persons and that those in HM forces who are disabled can access these schemes.

3 Legal Consideration

The disability equality duty was introduced into legislation in the Disability

Discrimination Act (amended 2005). This means that public bodies must have 'due regard' to the need to:

- Promote equality of opportunity between disabled persons and other persons.
- Eliminate discrimination that is unlawful under the Act.
- Eliminate harassment of disabled persons that is related to their disabilities.
- Promote positive attitudes towards disabled persons.
- Encourage participation by disabled persons in public life; and
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons (e.g. the provision of an accessible parking bay near a building, where parking is not available for other visitors or employees.).

The proposed review and amendment to the Concessionary Access Scheme therefore presents a good opportunity for West Lothian Council to make a positive contribution and meet the terms of the Disability Equality Duty. In particular, the proposal will encourage participation by disabled persons in public life and takes account of disabled persons' disabilities through a pro-active policy.

4 Proposal

It is recommended that West Lothian Council work with West Lothian Leisure to expand its criteria to include West Lothian residents who are in receipt of the following disability benefits: Attendance Allowance, Disability Living allowance, Incapacity Benefit (including Employment and Support Allowance), Armed Forces Compensation Scheme (AFCS) or War Disablement Pension (WDP).

At present, carers who require to be present to support a person to participate in their chosen activity are granted access to the facility free of charge. Carers registered with Carers West Lothian qualify to access West Lothian Leisure facilities with a 50% reduction in the cost of Pay per Visit charges.

The proposal will apply to all West Lothian Leisure facilities as well as the public leisure facilities at Deans and Inveralmond Community High Schools and Fauldhouse Partnership Centre. The terms and conditions of the existing scheme (detailed within appendix 2) will also apply to the enhanced scheme.

5 Consultation and Assessment

An Equality Impact Assessment (appendix 1) has been completed in conjunction with the Council's Equality Officer, a representative of Disability West Lothian and the Council's Sports Development Officer (People with a Disability). In summary, it was felt that the proposal represented a positive step towards increasing participation of groups in public life and that the proposed 12-month pilot period would enable effective monitoring of the impact of the scheme to be carried out.

Following the Equality Impact Assessment, discussions have been held with a number of key services to comment on the proposal as well as to provide valuable advice and guidance.

The Council's Social Policy Community and Information Team identified the proposal as a positive step. In addition, useful information was provided in the form of a detailed estimate of the number of claimants in West Lothian against each of the disability benefits:

<u>Benefit</u>	<u>Claimants</u>
Attendance Allowance	4,145
Disability Living Allowance	12,180
Incapacity Benefit	7,810
War Disablement Pension/ Armed Forces Compensation Scheme	500
<u>Total:</u>	<u>24,635</u>

Source: Department of Work and Pensions and the Ministry of Defence.

This information provides an overview of the number of West Lothian residents potentially eligible to qualify under the new scheme. What is unknown is the number of residents who already qualify under the existing scheme, which is estimated to be up to 75% of the total figure above. It is also unknown what proportion of these residents are existing users of public leisure facilities and currently paying the full entry charge.

Although the proposal does have potential financial consequences for West Lothian Leisure, experience suggests that this is unlikely to pose a significant threat to the ability to raise income and any potential increase in the volume of customers will offset the bulk of any loss of existing income. The proposed extension to the Concession Scheme would result in a loss of income where an existing user, paying full-price, becomes eligible for a 50% reduction under the new scheme. Where a non-user is encouraged to participate under the new scheme, this would result in an actual increase in income for the facility operator.

- 6 In order to minimise any potential long-term negative effect on the financial position, it is proposed that the revised scheme is introduced on an initial 12-month pilot. Throughout this period, there will be ongoing monitoring and evaluation of the service provided, uptake and any financial impact.

The Adults and Older People Service Development Officers for physical and learning disabilities also welcomed the proposed scheme while noting a level of surprise that no concessional allowance was currently in place for people with a disability. It was suggested that a large proportion qualifying under the suggested disability benefits would likely already qualify under the means-tested benefits within the existing concession scheme.

It was noted that the extended proposal avoids the potential for inequality that would likely have resulted from the original proposal related only to veterans of HM forces disabled while on active duty.

Key advice was also provided regarding promotion, evaluation and operational considerations. In particular, the advice of key representative forums, such as Disability West Lothian, will continue to be sought throughout the 12-month pilot period with consideration to key issues especially access to promotional material, training and awareness of facility staff, and the monitoring of customer service experience.

As detailed above, other Local Authority leisure Trusts were approached to gauge their experiences in implementing a similar scheme and their experience showed no evidence of a negative impact, financial or otherwise. Similar schemes in these Local Authorities are viewed very much as a pro-active action for encouraging participation in public sport and leisure activity for people with a disability.

E. CONCLUSION

It is proposed that the existing Concessionary Access Scheme is extended to include West Lothian residents who are in receipt of the following disability benefits: Attendance Allowance, Disability Living Allowance, Incapacity Benefit, Armed Forces Compensation Scheme (AFCS) and/or War Disablement Pension (WDP).

To enable a period of monitoring and evaluation, including cost benefit analysis, the scheme should be introduced on an initial 12-month pilot basis.

This proposal meets and expands upon the initial request to include veterans of HM Forces disabled while on active service thereby ensuring West Lothian Council gives due regard to the Disability Equality Duty.

Officers of West Lothian Council and West Lothian Leisure have undertaken the recommended consultations and assessment. The proposal has been met with approval from consultees with valuable advice also provided regarding the promotion, management and evaluation of the proposed new scheme.

F. BACKGROUND REFERENCES

Disability Discrimination Act (amended 2005).

Equality in Employment and Service Provision policy.

West Lothian Council and West Lothian Leisure Concessionary Access Scheme documentation.

Appendices/Attachments:

Appendix 1: Equality Impact Assessment.

Appendix 2: Concessionary Access Scheme Application Form/Rules of the scheme.

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