

General duty

The requirement on public authorities, when carrying out their functions, to 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 to take steps to take account of disabled persons' disabilities even where that involves treating disabled persons more favourably than other persons.

Participation in public life

2.28 The general duty also requires public authorities to have due regard to the need to encourage participation by disabled people in public life. This is both an end in itself and will promote equality for disabled people more generally. Not only will disabled people bring valuable experience to public life, but such participation will encourage positive attitudes towards disabled people and in s.49A(1)(f)

2.29 'Public life' is a very broad term. It incorporates residents associations; neighbourhood forums; citizens panels; public bodies' market research focus groups; school councils; user groups for a service provided by a public authority; Local Strategic Partnerships; government public appointments; the House of Lords. This is not an exhaustive list.

2.30 Public authorities will need to have due regard to encouraging participation in public life not only by, for example, encouraging disabled people to stand for particular forums, but also by ensuring that the framework is in place for them to successfully participate in the selection process and in the work of the forum.

2.31 For example, selection criteria for public body appointments should be examined to ensure that they do not make it more difficult for disabled people to succeed in applications for such posts. Public authorities should also consider appointing non-executive directors with broader community and customer-focused experience, as this may make the posts more open to disabled applicants.