



**STROUD DISTRICT COUNCIL**  
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# DISABILITY EQUALITY SCHEME

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December 2006

*“It is reassuring to know that when issues such as policy making are being looked into that the disabled community and others are consulted, and more importantly are listened to. This is an important and positive way forward.*

*I trust that the valued partnership working will continue, to the benefit of the whole community within the Stroud District area.”*

**Phil Hughes**  
**Chair of Stroud & District Access Group**  
2005

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## FOREWORD

Welcome to Stroud District Council's Disability Equality Scheme. It builds on the equalities work the Council has carried out to date to ensure that we meet the requirements of the Disability Discrimination Act 2005.

The Council's overall vision is '*to make Stroud District a better place to live, work and visit for everyone.*' We are committed to ensuring that through our role as policy maker, employer and service provider, everyone is treated fairly and equally irrespective of disability, gender, race, ethnic origin, age, sexual orientation, religion or belief. Stroud District Council recognises the benefits of having a diverse population and is keen not only to accept, but also to celebrate this diversity.

There are many types of disability, many of which are not always apparent, and discrimination against people with disabilities takes many forms. Barriers are often created which make it difficult for people to reach their full potential or to have equal access to services.

We have worked with disabled people in our community to develop our Scheme. We continue to seek the views of disabled customers and employees and will take all reasonable steps to ensure that our services are fully accessible.

We welcome your views about this Scheme as they will help us achieve our ambitions of ensuring equality and diversity is embodied in everything we do.

**David Hagg**  
**Chief Executive**

**Chas Fellows**  
**Leader**

## INTRODUCTION

The Disability Discrimination Act 1995 amended by the Disability Discrimination Act 2005, places a statutory duty on all public authorities to promote disability equality. The 2005 Act provides an increasingly robust legislative framework, which requires Council's to actively promote disability equality. This means that when carrying out our functions, we must have due regard to do the following:

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the Disability Discrimination Act
- eliminate harassment of disabled people that is related to their disability
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to meet disabled people's needs, even if this requires more favourable treatment.

'Due regard' means that we should give due weight to the need to promote disability equality in proportion to its relevance.

Stroud District Council recognises that promoting equality will improve public services for everyone. Our aim, therefore, is to ensure that equality is central to the Council's work by putting it at the centre of policy making, service delivery, regulation and enforcement, and employment practices. We will achieve these aims through the objectives we have set in our Action Plan.

## **Stroud District Council's Equality Framework**

In 2003 Stroud District Council adopted an Equality Scheme, which widened the Council's statutory duty to produce a Race Equality Scheme to also encompass disability and gender. This is in line with the requirements of the Equality Standard for Local Government.

The Primary Objectives of the Equality Scheme are:

- to progress equalities in relation to improved access to services and facilities and in employment and career progression;
- to develop partnerships with other public bodies, local authorities and voluntary services to share and promote equality;
- to assist and advise services in putting together specific, measurable, actionable, realistic and time-bound Equality Action Plans;
- to communicate equalities issues and policies to all staff.

This Disability Equality Scheme builds on the equalities work the Council has carried out to date to ensure that the specific requirements of the Disability Discrimination Act are met. It provides:

- a statement of how disabled people have been involved in developing the Scheme and Action Plan
- arrangements for gathering information about our performance
- arrangements for assessing the impact of our activities
- details of how the Council is going to use the information gathered, in particular in reviewing the effectiveness of its Action Plan and preparing subsequent schemes.

## WHAT IS A DISABILITY?

According to the Disability Discrimination Act 2005, disability is defined as:

“A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.”

A further explanation of the terms used by the Act are as follows:

### **Impairment**

The above definition covers physical and mental impairments, which include:

- physical impairments affecting the senses, such as sight and hearing
- mental impairments, including learning disabilities and mental illness (if it is recognised by a respected body of medical opinion) – for example, this would include dyslexia, dyspraxia and depression.

### **Substantial**

For an effect to be substantial, it must be more than “minor”.

The following are examples that are likely to be considered as “substantial”:

- inability to see moving traffic clearly enough to cross a road safely
- inability to turn taps or knobs
- inability to remember and relay a simple message correctly.

### **Long-Term**

These are effects of the condition that:

- have lasted at least 12 months; or
- are likely to last at least 12 months; or
- are likely to last for the rest of the life of the person affected.

Long-term effects include those which are likely to recur. For example, an effect will be considered to be long-term if it is likely both to recur, and to do so at least once beyond the 12-month period following the first occurrence.

## **Day-to-Day Activities**

Day-to-day activities are normal activities carried out by most people on a regular basis, and must involve one of the following broad categories:

- mobility - moving from place to place
- manual dexterity - for example, use of the hands
- physical co-ordination
- continence
- the ability to lift, carry or move ordinary objects
- speech, hearing or eyesight
- memory, or ability to concentrate, learn or understand; *or*
- being able to recognise physical danger.

Under the Act, the Government has issued guidance about whether an impairment has a substantial or long-term effect. This guidance does not in itself impose legal obligations on an employer or service provider, but when considering a complaint about discrimination a tribunal or court must take into account any guidance which appears to be relevant.

Further information about particular cases or conditions relating to disability can be found in the Appendix 1 of this document.

## EMPLOYMENT



### **Award of Disability Symbol**

Stroud District Council has once again been awarded the Disability Symbol by the Department for Work and Pensions, through 'Jobcentreplus', in recognition of the Council's commitment to the employment of disabled people.

The award of the symbol is reviewed on an annual basis and is given to employers who demonstrate five commitments regarding the employment, retention, training and career development of disabled people.

#### **The five commitments are:**

- To interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities
- To ensure that there is a mechanism in place to discuss with a disabled employee what can be done to ensure they can develop and use their abilities
- To make every effort to ensure that an employee who becomes disabled stays in employment
- To ensure all employees develop the appropriate level of disability awareness to support the above commitments
- To review each year what has been achieved and plan ways to improve on our commitments

The use of the symbol is a means of communication. It helps to inform our employees and other people who may be interested in the Council as a potential employer, that we have a positive approach to employing disabled people.

The symbol, which is used in the Councils' job advertisements, application forms and on the website is seen as a very public statement of the Council's commitment to recruiting and working with people with disabilities.

## **DEVELOPMENT AND DELIVERY OF THE SCHEME**

In Stroud District there are a number of long-established groups and organisations that provide physical activities, education and assistance to disabled people. Numerous groups work in partnership to achieve their goals towards making Stroud District a better place to live, work, learn and access sport and physical activity opportunities. There are issues, however, preventing many disabled people from leading as full a life as they would like and the Council recognised that it would be useful to have in Stroud District a group that would seek to tackle and resolve these issues and provide a central point of enquiry on disability matters.

To this end, Volunteer & Community Action (Stroud District) (VCASD), Stroud District Council (SDC) and Stroud & District Access Group have been working in partnership to set up a new Disability Action Group (DAG) whose aim is to link up key disability development across the district. (See Appendix 2 for terms of reference)

Stroud & District Access Group was re-launched in March 2005 with support from SDC, to act as a mechanism to advise on disability and assess physical access issues across the district. The group comprises local disabled people, council officers and Councillors, and is instrumental in delivering a number of key projects to improve our service provision.

Our Action Plan has been produced as a result of working with the Access Group and from feedback received from the consultation events held on 21<sup>st</sup> October 2005 and 26<sup>th</sup> September 2006.

Additionally members of the Access Group have met with Heads of Service to specifically examine how services can better meet the needs of disabled people.

Whilst far from comprehensive, it is a starting point with a few tangible areas that our partnership can implement and monitor. We aim to review this action plan annually, ensuring that the current needs and aspirations of the disabled community are adequately reflected.

## **WORKING IN PARTNERSHIP**

Examples of working in partnership with the disabled community to deliver the Council's key priorities include:

### **Regeneration** - *To promote the economic vitality of towns and villages*

- Early consultation on planning applications and assisting with on-site building control inspections.
- Advising on access to council buildings and information
- Secretarial support and hosting of the Stroud and District Access Group
- Enabling an access audit of Stroud town centre

### **Environment** - *To create a better local environment*

- Advising the Cotswold Canal partnership, to ensure that the canal restoration project is fully accessible.
- Giving grants towards improving disabled access and toilets in community facilities, such as village halls.

### **Affordable Housing** - *To provide affordable and decent housing*

- Giving disabled facilities grants to enable disabled people to live independently in their own home
- Disability relocation grants

### **Community Safety** - *To create safer and stronger communities*

- "Brighten them up and be seen" campaign to improve visibility of wheelchairs and mobility scooters.
- Neighbourhood wardens, with the assistance of disabled people, have carried out access audits of Stonehouse and Wotton town centres.
- Careline Service for older and vulnerable people
- Chairing Strategic Hate crime and Incidents Group
- Promoting community safety initiative (eg message in a bottle, Epic card) to various disability organisations

### **Healthy Living** - *To promote health and well-being*

- Employing a Community Disability Development Worker to increase the number of opportunities for disability multi-sport development in the District
- Access audits of Stratford Park Leisure centre and the Museum in the Park.

## **Citizen First and Excellence**

- Redesigned the Customer reception area to improve access eg automatic doors, hearing loops, more space and better seating.

## **Disability Sport And Physical Activity**

Disability is one of the key focus areas for the development of athletes, communities and facilities. The Regeneration Through Sports team works with a variety of agencies to ensure strategic links and the creation of disability sport specific initiatives. As a result of a district wide audit of disability provision, a full-time community Disability Development Worker was appointed and a new disability sport and physical activity action plan was created. The plan covers 2005 to 2008 and involves the creation and delivery of a new community disability sports club, links to an Inclusive Fitness Initiative bid and workshop training for staff, volunteers, teachers and coaches.

[Disability Development Action Plan](#)

[http://www.stroud.gov.uk/info/disability\\_dev\\_action\\_plan\\_0405.pdf](http://www.stroud.gov.uk/info/disability_dev_action_plan_0405.pdf)

## **Hate Crime and Incident Action Group**

The Cotswolds and Stroud Hate Crime and Incident Action Group was formed with local partners to provide an operational response to Hate Crime incidents within the Stroud and Cotswolds areas. The group is chaired by the Council's Head of Community Safety and is supported by a number of district council officers.

A **Hate Incident** is defined as;

**'Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate'.**

To provide consistency in the recording of hate incidents, the Gloucestershire Constabulary and Gloucestershire Hate Crime & Incident Strategic Group have adopted the following categories by which to group and record incidents;

Age; **Disability (including mental health)**; Gender (including transphobia); Race (ethnicity); Religion (including faith & belief); Sexual Orientation (including lesbian, gay and bi-sexual); Any other group identity

## **MONITORING ARRANGEMENTS**

The council recognises that monitoring is essential in order to build an accurate picture of our actions with respect to employment and service delivery and to evaluate how successful this Scheme is in achieving its aims and objectives.

In order for monitoring to be carried out records are kept of any disabilities; for both existing employees and job applicants; for the take up of training opportunities; and for the number and nature of reported grievances and disciplinaries.

A longer-term aim of the Council will be to keep records covering the users of council services. Records will be kept for monitoring purposes only and will be analysed and reported to elected members as and when necessary. The council will adhere to the Data Protection Act.

As monitoring can be a sensitive issue, we will consult with interested parties as to the principles and practice to be adopted in the extension of record keeping to other service areas.

All services produce annual Service Plans which are at the heart of the Council's resource planning and performance monitoring / reporting processes. The Action Plan produced will be integrated into these helping to ensure that mainstreaming takes place.

The Performance and Audit Overview and Scrutiny committee is responsible for ensuring that the actions and targets are met, and receive a quarterly report on progress, along with appropriate performance indicators. The committee is also responsible for monitoring the Executive's performance in implementing the Scheme and associated improvement plans.

One of the Council's mechanisms to deliver and promote our Scheme internally is our Equality Steering Group. Following review of the membership, the Chief Executive will now chair the group, which is made up of officers from a range of services across the Council, as well as the portfolio holder for Community Cohesion. The Equality Steering Group will keep this policy under review.

## **ASSESSING THE IMPACT OF OUR ACTIVITIES**

Stroud District Council has in place a standard Equality Impact Assessment template for ensuring that we do not disadvantage any groups, this includes people with disabilities. The intention is to have a process that is systematic, proactive, and explicit and ensures the equality issues of all our communities are addressed in our day-to-day activity.

The assessment tool tests the impact of new and existing policies and services on people to find out if there is any adverse impact or unlawful discrimination or any unmet need or requirements. “Adverse impact” means that the service or policy is disadvantageous to one or more groups of people. The key purpose is to help us identify direct and indirect discrimination, institutional discrimination and any gaps in service provision.

We have established an **Equalities Advisory Panel** to assist us in carrying out our equality impact assessments. This panel provides external scrutiny of our compliance on equalities and diversity. The panel meet quarterly with individual Heads of Service to discuss equality issues within service provision and to advise where improvements can be made. The group comprises representatives from the community and voluntary sector covering the six diversity strands. It includes the Chair of the Disability Access Group and the Stroud District representative of Gloucestershire County Association For The Blind.

## **Developing And Sharing Best Practice**

Stroud District Council is part of the County and South West regional equality networks. Working closely with our colleagues ensures that we make best use of our resources and enables us to develop and share good practice to the benefit of all our communities.

## DISABILITY ACTION PLAN

This Action Plan has been produced as a result of a range of consultation methods in partnership with the disabled community.

The key themes that were identified are:

- ❑ To improve employment prospects of disabled people
- ❑ To improve access issues in Stroud District
- ❑ To improve the range of and access to sport, health and physical activity opportunities available to disabled people in Stroud District
- ❑ To reduce barriers to learning for people with disabilities, whether physical, sensory or learning
- ❑ To improve opportunities for volunteering amongst disabled people in Stroud District

We have also adopted some of the actions identified through the Gloucestershire County Council countywide consultation and involvement process.

We will continue to support and work in partnership with our public, private, voluntary and community partners in the delivery of this action plan. As we progress, more specific target dates for achieving our actions will be added.

<b>Improve employment prospects of disabled people</b>			
<b>OBJECTIVE</b>	<b>ACTION</b>	<b>DELIVERY/ LEAD</b>	<b>TARGET</b>
Review of Recruitment and selection training	Ensure staff who are involved in the recruitment process are fully aware of their responsibilities under DDA and use best practice	Head of Human Resources (HR)	2007
Review Award of Disability Symbol √√	Continue to work with Jobcentreplus to ensure continued compliance with √√	Head of HR	2007 and annually

<b>Improve employment prospects of disabled people</b>			
<b>OBJECTIVE</b>	<b>ACTION</b>	<b>DELIVERY/ LEAD</b>	<b>TARGET</b>
Audit job descriptions and person specifications for barriers	Ensure unnecessary barriers are removed as jobs are advertised.	Head of HR Heads of Service	2007
Review use of equality statement in recruitment	Positive statement to be adopted for all job advertisements	Head of HR	2007
Review application form considering DDA implications	Consult with disabled users and follow best practice to improve format of application form.	Head of HR	2007
Ensure robust Equality statement in Procurement process and examine extent to which contractors promote the employment of disabled people	Ensure equality practices of external providers are monitored and comply with best practice	Head of Accountancy Heads of Service	2008
Increase the number of people with disabilities within the workplace	Advertise in specialist publications and liaise with Jobcentre Plus to reach wider audience.	Head of HR	2007-2009
Increase number of work experience placements for people with disabilities	Identify potential work experience placements within each Service area	Heads of Service	2007
Develop disability awareness for all staff	Develop existing Equalities training for all staff to include disability awareness	Head of HR	2007

<b>To improve access issues in Stroud District</b>			
<b>OBJECTIVE</b>	<b>ACTION</b>	<b>DELIVERY/ LEAD</b>	<b>TARGET</b>
Improve the way the Council communicates with and provides information to disabled people	Develop database holding relevant information on customer needs	Customer Services Manager  Modernisation and ICT Manager	2007-2009
Address problems in Stroud and other towns, eg uneven cambers, width of pavements, street furniture	Support District Access Group in carrying out access audits of towns across the District. (Stroud town centre access audit completed 2006)	Stroud District Access group	2007-2009
Ensure accessibility of building developments	Continue involving the Access group in on-site inspections.	Building Control Manager	2006 ongoing
Disability awareness training for traders and the general public	Advise all Taxi drivers of their responsibilities under the DDA	Principal Licensing officer	2006
	Facilitate awareness training day for taxi drivers	Head of Environmental Health	2008
Ensure that all Council sheltered housing schemes are accessible to disabled people	Carry out access audit of sheltered housing schemes in the district.	Head of Housing Standards	2007-2008
Ensure disabled allocated parking is not misused.	Enforce penalties for misuse of disabled parking spaces in SDC car parks.	Head of Regeneration	2007

	Review allocation of accessible parking for visitors and employees	Facilities Manager	January 2007
Review accessibility of Council owned buildings	Review access audit and produce action plan	Building Programmes Manager	2007
	Ensure consistency of signage across all SDC sites	Facilities Manager	2007

<b>To improve range of and access to sport, health and physical activity opportunities available to disabled people in Stroud District</b>			
<b>OBJECTIVE</b>	<b>ACTION</b>	<b>DELIVERY/ LEAD</b>	<b>TARGET</b>
To increase the number of opportunities for disability multi-sport development in Stroud District	Review existing Disability Development action plan and roll in longer term aims and objectives	Regeneration Through Sport Manager	2007
	Seek to secure additional funding to retain Community Disability Development Officer (CDDO) at Stroud District Council. Sport England partnership funded post ceases in 2008.	Regeneration Through Sport Manager	2007
	Set up a transport scheme with GCC for all users of IFI and ability activity club	Regeneration Through Sport Manager	2007-2008
	Continue annual audit of Special schools, disability clubs, day centres to support delivery and sustain CDDO's action plan and future developments.	Regeneration Through Sport Manager	2007-2009

**To reduce barriers to learning for people with disabilities, whether physical, sensory or learning**

OBJECTIVE	ACTION	DELIVERY/LEAD	TARGET
Improve publicity of learning opportunities available to disabled people.	Link to existing sources such as <i>The Key</i>	LSP Lifelong learning syndicate. Heads of Service	2007
	Signpost learning opportunities through Customer Service centre	Customer Services Manager	2007
	Signpost learning opportunities through Neighbour wardens	Head of Regeneration	2007

**To improve opportunities for volunteering amongst disabled people in Stroud District**

OBJECTIVE	ACTION	DELIVERY/LEAD	TARGET
Encourage volunteer-using organisations to consider engaging disabled volunteers	Identify opportunities for volunteering and promote these through various media, eg local radio, websites and newsletter	VCASD SDC	2007-2009

<b>Implementation of the Scheme</b>			
<b>OBJECTIVE</b>	<b>ACTION</b>	<b>DELIVERY/ LEAD</b>	<b>TARGET</b>
Increased awareness of disability equality and the implementation of the Disability Equality Scheme	Provide assistance in the implementation of the Scheme at a corporate level	Senior Policy Officer	2007
	Develop the disability awareness content of Equality & Diversity Induction of new employees.	Head of HR Senior Policy Officer	2007
	Review membership and terms of reference of the Equality Steering group	Senior Policy Officer	January 2007
Ensure that impact assessments are carried out across the organisation	Quarterly monitoring of progress through Service Plan reporting	Performance and Audit Overview and Scrutiny Members	Quarterly

## **Adapted from the Disability Discrimination Acts 1995 and 2005**

### **Particular Cases or Conditions**

#### **Severe Disfigurements**

The Act's definition treats severe disfigurements as disabilities, although they have no effect on a person's ability to carry out normal day-to-day activities.

If, however, the disfigurement consists of a tattoo which has not been removed, non-medical body piercing, or an object attached through such a piercing, regulations have the effect of ensuring that this would not be treated as a disability.

#### **Impairments helped by treatment or artificial aids**

Medication or equipment (such as an artificial limb) which helps an impairment, is not taken into account when considering whether an impairment has a substantial effect.

For example, a person who wears a hearing aid to improve their hearing is considered to have the hearing loss that would exist without the use of the aid. An exception is when people wear glasses or contact lenses - it is the effect on the person's vision, while wearing their glasses or contact lenses that is considered.

However, if the treatment is likely to cure the impairment, this should be taken into account in assessing whether the impairment is long-term.

#### **Progressive Conditions**

The Act covers progressive conditions where impairments are likely to become substantial. Examples of progressive conditions include:

- cancer
- HIV infection
- multiple sclerosis
- muscular dystrophy

The Act covers people with these conditions from the moment that there is a noticeable effect on normal day-to-day activities, however slight.

For example, a person with multiple sclerosis would be covered from the time they first developed symptoms that affect their ability to carry out normal day-to-day activities. They would not be covered just because the illness had been diagnosed.

### **Genetic Predispositions**

The Act does not cover people with a gene that causes a disability unless they develop the disability. For example, people with the gene that causes Huntington's chorea are not covered if they do not have the condition. People are covered as soon as the first effects on normal day-to-day activities appear.

### **Past Disabilities**

The definition covers people who have had a disability in the past. If a person once had a disability which is covered by the Act, they are still protected if they have recovered. This applies even if they recovered before the Act came into force.

### **Registered Disabled People**

Any person registered as a disabled person under the Disabled Persons (Employment) Act 1944, or the Disabled Persons (Employment) Act (Northern Ireland) 1945, on both:

- 12 January 1995 when the legislation was first introduced into Parliament
- and the date when the employment rights start is covered by the Act for three years

is to be treated as having a disability, for the purposes of the Act, for three years from the latter date. They do not have to prove they meet the new definition of disability for this three-year period.

### **Babies and Children under the age of six**

It may be difficult to see the effects of an impairment on a baby or young child and thus determine if he or she is disabled. However, a young

child with an impairment will be treated as disabled under the Act if someone over the age of six with such an impairment would normally be covered by the Act.

### **Impairments which are excluded**

The following conditions are not to be treated as impairments for the purposes of the Act:

- Addiction to or dependency on alcohol, nicotine or any other substance (unless the addiction resulted from the substance being medically prescribed)
- Seasonal allergic rhinitis (for example, hay fever) except where it aggravates the effect of another condition
- A tendency to set fires
- A tendency to steal
- A tendency to physically or sexually abuse others
- Exhibitionism
- Voyeurism.

**THE AIM OF THE DISABILITY ACTION GROUP IS:**

***'To be the driving force within the community of Stroud and District to lobby and advocate on sport, health and social inclusion issues relating to disability at a local, sub-regional and regional level.'***

Terms Of Reference:

- Create an action plan to be delivered via key partners in the group that is monitored and updated annually
- Create an effective mechanism for information exchange
- Act as the overarching group for Access Group and people development for disability issues
- Become a consultative body for SDC Sport and Physical Activity Forum, Glosport (formerly Gloucestershire Sports Partnership), the Regional Sports Board (SW) and English Federation Of Disability Sport (EFDS)
- Link with the appropriate multi agencies

## DISABILITY IN STROUD DISTRICT

	All people (NOS 2004 MYE)	Population under 18 NOS 2004 MYE)	Population 75+ (2004 MYE)	Disability Living Allowance 2005	DLA Care Component Higher Rate	Incapacity Benefit 2005	Incapacity Benefit Over 5 years	Attendance Allowance 2004	Comparative Illness and Disability Indicator 2003 IoD2004
<b>Stroud</b>	<b>109,480</b>	<b>24808</b>	<b>10,011</b>	<b>3,360</b>	<b>830</b>	<b>3,325</b>	<b>1,770</b>	<b>2,840</b>	<b>5,343</b>
Gloucestershire	572,791	125,278	50,931	19,665	4,745	18,955	10,070	14,205	31,613

	Physical Disability - Adults 2006, Community and Adult Care	Learning Difficulties - Adults 2006, Community and Adult Care	Mental Health - Adults 2006, Community and Adult Care	Disabled Children (CiN 2005)	Blue Badge Holders 2006, Community and Adult Care	People with Limiting Long term illness - Census 2001	Health not good - Census 2001	People providing care - Census 2001	People providing care over 20 hours pw - Census 2001
<b>Stroud</b>	<b>1,568</b>	<b>470</b>	<b>243</b>	<b>119</b>	<b>1,958</b>	<b>17,092</b>	<b>7,812</b>	<b>11,466</b>	<b>2,682</b>
Gloucestershire	9,666	2,492	1,207	644	10,389	91,164	42,744	55,696	14,505

NOS – National Statistics published 2005  
MYE – Mid year estimates

IoD – Indices of Deprivation