

Minutes of the

Cross Party Group on Disability

held on 15th November 2019
at The Management Centre, Bangor Business School,
College Road, Bangor, Gwynedd LL57 2DG. 11.30am - 1.30pm

Chaired by Mark Isherwood AM

Present: Mark Isherwood AM, Zoe Richards, Arthur Beechy, Rebecca Phillips, Bill Fawcett, Lowri Wynne Blackmore, Jan Underwood, Martin Davies, Medi Griffiths, Lorna Tate, Tom Hall, Louise McGrath, Katrina Jones AND Grace Krause.

Apologies: Bethan Sayed AM, Eric Owen (FDF), Helen Mary Jones AM, Wayne Crocker (Mencap Cymru), Llyr Gryffudd AM, Vin West.

1. Welcome and introductions.

MI opened the meeting and welcomed everyone.

2. Minutes from the last meeting.

The minutes were approved as an accurate record.

Proposed: Bill Fawcett

Seconded: Mark Isherwood AM

All actions were completed.

3. Presentation: Engage to Change project - Access to Work for Young Disabled People. by Arthur Beechy, Agoriad Cyf.

The Engage to Change is a pan-Wales project aimed at supporting people aged 16-25 with learning disabilities and/or autism into employment. The project is funded by the National Lottery Community

Fund, in partnership with Welsh Government.

Participants are offered one-to-one job coaching, supporting both the young person and the employer.

There are five partners involved: Cardiff University, Learning Disability Wales, All Wales People First, Elite Supported Employment Agency Ltd. (delivering the project in south Wales), and Agoriad Cyf (delivering the service in north Wales).

Although they have a specific arrangement in place with the DWP for accessing Access to Work support, there have been some challenges, particularly with third-party consent, General Data Protection Regulations, and Transport for Wales' online application forms.

The project aims to change policies and produce a legacy whereby the employment of people with learning disabilities and/or autism is recognised in government policies and procedures.

He added that there is a current problem whereby people are wary about committing to more than 16 hours of employment due to the lack of clarity and consistency in the advice and guidance around Universal Credit.

The project hopes to encourage the public sector to become a more meaningful employer of disabled people. To assist with this, targeted interventions have been made with Betsi Cadwaladr University Health Board, Cardiff and Vale University Board and Cwm Taf Morgannwg University Health Board.

Following the presentation, members were invited to share their experiences of transport, Universal Credit and specific Access to Work issues.

Comments included:

- Equipment received via Access to Work was not what was agreed. The applicant clearly specified that they needed a lightweight, portable computer. Instead, they received a very heavy laptop. In addition, the employee needed a medical chair but received an executive-style chair,

which did not suit their needs.

- Access to Work offer no feedback, or follow up to queries.
- Employee should have received training for the Dragon Technology Software. This was never delivered. The issue was reported to Access to Work but received no response.

ZR added that some large employers are using Access to Work to supply equipment to non-disabled staff having suffered an injury at work.

AB also added that Disability Employment Advisors (DEAs) in north Wales have become more in-house focused - supporting staff rather than clients.

MI had recently met the DWP Officer responsible for the 'Disability Confident' Campaign in North Wales and suggested inviting a DWP Officer responsible for the 'Disability Confident Campaign' in Wales to attend a future CPGD meeting.

MI informed the group that the Cross Party Group on Neurological Conditions has identified issues with General Data Protection Regulations (GDPR), particularly when co-producing with the third sector. He suggested following this up with the relevant Minister after the Election. He also suggested inviting a representative from DWP to a CPGD meeting to discuss GDPR issues and Access to Work queries. He felt that it could be worth incorporating Remploy, as they have the DWP contract for supporting disabled people and people with long-term health condition into employment.

MI reported that AMs recently debated a petition calling for mandatory training for NHS staff on learning disabilities and/or autism. WG responded by stating that they would be introducing a requirement for health boards to introduce more generic disability and equality awareness training. However, he stressed that Welsh Government cannot legislate on issues around formal conditions of NHS staff, this can only be initiated by UK Government. The UK Government recently announced that it is going forward with this with all party support. Therefore, in the future there will be mandatory training.

Clarity was sought around the type of training that will be expected from

employees. MI responded by reflecting on his recent speech whereby he asked the same question. He added that training is often used as an event rather than a process. It needs to become intrinsic to the way the organisation works.

A member asked whether a University constitutes a public body.

MI added the Public Sector Equality Duty, which comes under the Equality Act 2010, applies to all bodies under that Act. Education facilities are included, however, they are not directly under the local authority duty, they have to have their own.

MI reported that he is inundated with instances of constituents encountering public bodies not knowing anything about the legislation. MI followed this issue up with Jane Hutt AM who confirmed that such issues are a matter for the Equality and Human Rights Commission. Therefore, MI suggested such issues be referred to EHRC.

In relation to the afore mentioned Universal Credit, MI informed the group that the Equality Local Government and Communities Committee carried out a piece of work on welfare looking at whether or not welfare in its entirety, in part or not at all should be devolved to Wales. The report has been published and available online.

MI responded to AB's observation around DEAs in north Wales. The Cross Party Group on Autism requested an extension to a DWP programme that employed regional Community Support Teams with lived experiences. However, instead of further funding the DWP agreed to restore DEAs into Jobcentre Plus. MI was interested to hear that this wasn't happening in north Wales. He suggested approaching the Chief Executive of the North and Mid Wales DWP to enquire about it.

Following on from this, concerns were raised about the PIP process, with some accounts being shared by the group. MI suggested that the CPGD follow this up with the relevant UK Minister once appointed after the UK General Election.

4. Strategic Equality Objectives 2020 to 2024 - Consultation overview

On behalf of Disability Wales, ZR informed the group that The Strategic Equality Objectives are currently being written by Welsh Government. Every four years, Welsh Government must ensure their Equality Act is working for people. The Equality of Human Rights Committee publish a report every four years called 'Is Wales fairer?' which has informed Welsh Government's Strategic Equality Objectives. They are currently out for consultation and the group was asked to submit comments to Zoe. The deadline is 19th November, however, this could be extended.

MI asked whether the document mentions the Social Model of Disability or the United Nations Charter for the rights of Disabled People. ZR confirmed that they are in the main document. However, she will ensure it is referenced in the response.

ZR agreed to email a copy of the response to the group for comments and apply for extension.

5. Updates from attending Organisations

Direct Payments

Vin West, who was unable to attend a meeting asked for an update be read to the group:

In Gwynedd, they have finally achieved the Direct Payments Policy and Staff Guidance document. This has taken more than three years negotiation interspersed with long periods of waiting for official responses. They have persisted and they think that the resulting policy and guidance sits well within the 2014 Social Services Act. The documents have been kept confidential up until now. Vin is happy to share with anyone who would find it useful for bringing their own local authority up to date. Two evaluations of the 2014 Act successes are going ahead, one by professor Mark Llewelyn of Swansea University and the other which will gather personal stories of people's experiences of social support. A citizen's jury will be held in July next year.

Vin added that he is also involved in Radio Wales' 'Eye on Wales' investigation programme, looking into how well social support, in

particular direct payments, has been increased since the Act. Both good and bad practice was discovered but also a worrying disparity between different local authorities in Wales. Possibly up to ten times difference in the proportion of disabled people receiving direct payments. Deputy Minister Julie Morgan has been briefed on this.

He also congratulated MI on being the only member in the recent Blue Badge debate in the Assembly who consistently used social model language. He has written to Ken Skates AM to complain about his and other AMs continuing with offensive use of the medical model language which has had a direct effect on the decision making process within the Government.

Learning Disability Wales

Learning Disability Wales has just launched its new strategy.

NHS treatments for ex military personnel

A concern was raised around some NHS treatments being available in England but not Wales. Particularly focusing on treatment for ex military personnel. MI suggested the CPGD write to the Minister for Health and Social Care for a response. He added that all public bodies are signed up to the Armed Forces Covenant, yet gaps still exist.

Bedroom Tax

A member of the group reported that a Judgment in the Supreme Court ruled that the bedroom tax imposed on disabled people was illegal.

Disability benefits

Concerns were raised around the pressure being placed on disabled people by the benefits system, which has led to some people committing suicide. MI informed the group of a charity, '2 Wish Upon a Star', who offer bereavement support to families who suddenly and traumatically lose a child or young adult 25 years or younger. They have submitted a petition, urging Welsh Government to provide support for a service in Wales.

Service Charges for electrical adaptations in the home

An issue was reported regarding a service charge being placed on a disabled person living in social housing for having a stair lift. MI suggested the group pursue the issue with Julie James AM, Minister for Housing.

6. Next meeting

To be confirmed.

Members of the group asked whether a live link-up between meetings held in Cardiff and North Wales could be arranged. ZR will look into this.

Actions:

Action 1: ZR to circulate information regarding the Engage to Change project.

Action 2: CPGD invite the North Wales DWP Officer responsible for the Disability Confidence Campaign to attend a CPGD meeting.

Action 3: CPGD invite a representative from DWP to a CPGD meeting to discuss GDPR issues and respond to Access to Work queries.

Action 4: CPGD write to the Chief Executive of the North and Mid Wales DWP to ascertain the role of the DEAs in north Wales.

Action 5: ZR to circulate CPGD's response to the Strategic Equality Objectives 2020-2024 consultation to members for comments and contributions and ensure the response includes reference to the Social Model of Disability and the United Nations Charter for the rights of Disabled.

Action 6: ZR to apply for an extension to the deadline for responses to the Strategic Equality Objectives 2020-2024 consultation.

Action 7: ZR to look into live link-up of meetings.

Action 8: CPGD to write to the Health & Social Care Minister highlighting the issues of some medical treatment being available in England but not in Wales and vice versa, with a particular focus on treatment for ex military personnel.

Action 9: CPGD write to Julie James AM regarding service charges

placed on disabled people living in social housing for electrical adaptations.