

Fulfilling Potential: Making it Happen

Better Working with Disabled People

The Government's response to the triennial review of Equality 2025

**A consultation on next steps for
advice from and engagement with
disabled people**

**Office for Disability Issues
16 July 2013**

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Summary

This discussion paper sets out the Government's response to the Independent Triennial Review of Equality 2025¹ (EQ2025). We agree that:

- there is a continuing need for independent, confidential advice to Government drawing on the lived experience of disabled people; and
- that this does not need to continue to be delivered through a Non-Departmental Public Body.

We are grateful for the excellent work of EQ2025, and want to take this opportunity to build on that. We aim to strengthen arrangements for: provision of advice to Government on policy development and delivery; and for two-way engagement on Fulfilling Potential, our disability strategy.

This paper outlines principles and options for successor arrangements to EQ2025, for discussion. We have asked seven questions and would like responses by 16 October 2013:

Principles

Question 1 – Have we included the right principles? Are there others we should apply?

Policy Advice

Question 2– How should potential advisors be identified?

Question 3- What criteria should be applied to determine relevant expertise?

Strategic Engagement

Question 4 – How do we make sure an engagement forum has the right membership?

Question 5 – How do we best ensure that discussions are effective?

Administration

Question 6 – How should the new arrangements be administered?

Resources

Question 7 – How do we ensure we get value for money?

EQ2025 members' contracts come to an end in September 2013 and EQ2025 will cease to operate then. The Chair will continue to provide advice to Government and assist with development of successor arrangements. We will spend the next three months listening to views from disabled people and disability organisations and in the autumn will publish what people have told us and how we will proceed.

¹ Department for Work and Pensions, July 2013, An Independent Review of Equality 2025

1. Introduction

- 1.1 The UK has a proud history of furthering the rights of disabled people, but we know more needs to be done to realise the Government's aim that disabled people should be enabled to participate in every aspect of society. On 2 July we published 'Fulfilling Potential: Making it Happen'² which sets out how we intend to deliver our vision.
- 1.2 We have worked with disabled people, a wide range of disability and other organisations, and colleagues across Government to develop 'Fulfilling Potential'. This has ensured we are focusing on the issues most important to disabled people and that our approach is transparent and open.
- 1.3 In the 'Fulfilling Potential' discussions disabled people told us they wanted disabled people involved at every stage of policy development and delivery. This document, the Government's response to the independent triennial review of Equality 2025, also seeks views on how best we can make that involvement a reality.
- 1.4 Developing and implementing good policy involves the in-depth understanding of the impact of policies on individuals. In 2005, the then Prime Minister's Strategy Unit published 'Improving the Life Chances of Disabled People' which recommended that to help remove the barriers faced by disabled people in participating fully in society, disabled people should be involved in policy development and delivery at all levels.
- 1.5 As part of the response to that, Equality 2025 (EQ2025) was created to help ensure input from disabled people in the development of Government policy and strategy to support the journey towards equality for disabled people.
- 1.6 Over the years EQ2025 has given effective quality advice on a range of subjects. In the last year it has provided advice on

² Department for Work and Pensions, July 2013, Fulfilling Potential : Making it Happen

47 policy areas across Government including to the Department for Work and Pensions, Ministry of Justice, Department of Health, Her Majesty's Treasury and Department for Communities and Local Government.

- 1.7 We are very grateful for the advice EQ2025 has given, and value the input from disabled people to strategy and policy development. We believe there is a continuing need for independent, strategic, confidential advice to Government and to senior officials and want to continue to benefit from that input.
- 1.8 The Government accepts the recommendation of the independent triennial review³ that this advice does not need to be provided through a Non-Departmental Public Body and the recommendation that new arrangements should be put in place to provide this vital function.
- 1.9 We see the outcome of the EQ2025 review as an opportunity to build on its achievements and the lessons learned from its work. Engagement with disabled people has been fundamental to the development of Fulfilling Potential, the Government's disability strategy. Over 5000 disabled people had input into the development of the strategy.
- 1.9 We want policy to reflect the real-world experiences of citizens and harness public engagement with the policy making process. We are therefore seeking to strengthen and broaden input in policy development from the lived experience of disabled people, and also from people with particular expertise on disability issues in accordance with the principles of open policy making⁴.
- 1.10 This document sets out our suggested principles, outlines our proposals and seeks feedback on the best ways of achieving the advice and engagement that will bring about real change.

³ Department for Work and Pensions, July 2013, An Independent Review of Equality 2025

⁴ UK Government, June 2012, Civil Service Reform Plan

2. What we need

- 2.1 The Government believes that there are two separate but linked elements to what constitutes good input by disabled people into effective policy development and delivery.
- 2.2 Firstly there is the **provision of policy advice**. This is the provision of expert, possibly technical information and guidance. This can be based on facts or a body of experience relating to specific ideas Government is taking forward or considering. For example, advising Government on the delivery of the actions set out in the 'Fulfilling Potential: Making it Happen Action Plan'⁵.
- 2.3 Secondly there is **strategic engagement**. In this context we mean more free form discussions at an earlier stage where proposals for action have not yet been identified to assist the development of priorities and strategic direction informed by the lived experience of disabled people. This is a two way process where by ideas and proposals can be brought up, discussed and challenged.
- 2.4 The proposals we set out in Section 4 reflect that good policy making depends on both of these elements.

⁵ Department for Work and Pensions, July 2013, Fulfilling Potential : Making it Happen Action Plan

3. Principles

- 3.1 In considering the most appropriate way of obtaining advice and engagement we will apply the following **principles** which draw on what disabled people have told us and the Government's commitment to **open policy making**⁶:
- i. We want to **build on EQ2025's achievements** and continue to draw on the knowledge and experience of disabled people, making sure they continue to have a voice in Government.
 - ii. We want to **broaden the range and scope of input** we receive to ensure that the views of a wider range of disabled people are given a voice in Government.
 - iii. We value both the **lived experience of disabled people**, and **specific expertise**, for example around a particular impairment or a specific issue or barrier.
 - iv. We want to **expand co-production and partnership working** in all areas of strategy and policy, drawing on experience of developing Fulfilling Potential and capitalising on the strengthening of Disabled People's User-Led Organisations. This includes stronger joint working between Government, and disabled people's organisations.
 - v. We want to build more **open and transparent** arrangements whilst recognising the need for **confidential advice** where necessary.
 - vi. We want **flexibility** so that, for example, ad hoc groups of advisors can be created to work closely together and advise on specific policy areas.
 - vii. We also want to involve disabled people and experts more in **strategic discussions and horizon scanning** to explore the implications for disabled people of future developments in society or technology. This would

⁶ UK Government, June 2012, Civil Service Reform Plan

involve a strong **two-way flow of information and ideas**.

- viii. We want greater opportunity for **regional input** through, for example, existing regional networks of disabled people's organisations, and want to make sure we get greater representation from **hard to reach groups** such as people from black and minority ethnic backgrounds, people with learning disabilities and those in residential settings.

Question 1 – Have we included the right principles? Are there others we should apply?

3.2 Good practice examples already exist where public bodies effectively build engagement and advice into policy development. We want to build on best practice, and support and develop it. Over the period of this consultation we will be discussing with Government Departments and others about the arrangements they have in place, and whether they might be enhanced.

3.3 **We want your views on how best to turn these principles into an effective system for strengthening arrangements for disabled people's advice and engagement. The next section illustrates how it might be done to aid discussion.**

4. Proposals for discussion

- 4.1 This advice and/or engagement could be delivered by individuals or organisations drawing on their expertise and the lived experience of disabled people.
- 4.2 As there are **two separate requirements** the Government is consulting on a two element approach.–
- i. **Policy advice: advice on current specific areas of policy** development and delivery as needed by Government. For example, advice on actions in the Fulfilling Potential: Making it Happen Action Plan⁷; and,
 - ii. **Strategic engagement: discussions on priorities and strategic direction** based on improving the key outcomes identified by disabled people and as set out in ‘Fulfilling Potential: Making it Happen’⁸.

These options are explored further in this section.

- 4.3 In addition we need to consider how best to administer these arrangements. Two options are:
- i. direct administration by the Office for Disability Issues (ODI);
 - ii. ODI working with a strategic partner, for example, a disability organisation and/or a consortium led by a disability organisation.

These options are considered further in section 5.

Policy advice

- 4.4 We propose a list of expert advisors to inform policy development across Government. We want to widen the pool of expertise on which we can draw to develop policy options.

⁷ Department for Work and Pensions, July 2013, Fulfilling Potential - Making it Happen Action Plan

⁸ Department for Work and Pensions, July 2013, Fulfilling Potential : Making it Happen

We will invite expressions of interest from disabled people and others with specific expertise who meet set criteria. The list could be refreshed regularly, and could be used to provide one-off advice, or provide members for ad-hoc advice groups and working groups to inform and advise Government on specific areas of policy.

4.5 We welcome views on the specific criteria that could apply.

Examples could be:

- disabled people with relationships with organisations of, or networks of, other disabled people;
- people with specific expertise on key issues identified in Fulfilling Potential such as education or employment, or in providing support for disabled people;
- people with expertise in the UN Convention on the Rights of Disabled People, and
- people with knowledge of the specific issues relating to particular impairments.

4.6 Seeking advice in this more flexible way would provide opportunities for the advice to be sought from groups of individuals with the right balance of expertise for the issues under consideration.

4.7 We welcome views on whether the proposed list of advisors should be limited in number, or open to all who are nominated and satisfy the set criteria. Whilst the open list has the virtue of including the largest range of potential advisors, and allowing the maximum number of people to have the potential to advise Government, a large number would mean that some people on the list might never get called to give advice.

4.8 From the panel of advisors it may be appropriate to appoint coordinators or leads who would help provide leadership and coordination on a piece of work.

Question 2– How should potential advisors be identified?

Question 3- What criteria should be applied to determine relevant expertise?

Strategic engagement

4.9 We propose a forum to provide engagement on priorities and strategic direction. This would provide a fresh opportunity to have open dialogue between disabled people and Government on the issues most important to disabled people, together with ideas on how to address them.

4.10 The role of this Forum would be to consider wider strategic issues, including:

- horizon scanning for important future issues which are likely to affect disabled people;
- considering progress with implementing Fulfilling Potential, and improving outcomes and equality for disabled people;
- reviewing the latest research and statistics, and in particular, progress against the Fulfilling Potential outcome framework and indicators;
- debating specific strategic issues impacting on outcomes for disabled people; and
- considering progress with implementation of the UN Convention on the Rights of Disabled People.

4.11 The Forum could consist of perhaps 30 to 40 members, including:

- members who could offer views based on the lived experience of disabled people;
- representatives of organisations of and for disabled people;
- experts on specific disability issues and impairments; and
- a mix of representation from the English regions and from Scotland, Wales and Northern Ireland.

Question 4 – How do we make sure an engagement forum has the right membership?

- 4.12 The Forum would have an agenda driven by the members, would have access to research and statistics, and would be expected to provide a two way dialogue with Government about future challenges and direction.
- 4.13 Experience of EQ2025 has shown the value in having a Chair to help make sure the group operates effectively, coordinate communication and focus discussion. We welcome views on how ad-hoc advisory groups or working groups should be chaired and agendas set to ensure effective input from disabled people and effective discussion.
- 4.14 We have existing engagement with a range of disabled people and organisations including the Disability Action Alliance, networks of Disabled People's User-Led Organisations and our Ambassadors and disabled role models. Going forward we want to build upon these relationships.
- 4.15 We also welcome views on how we can use new approaches to involving disabled people, for example, the use of social media, to help broaden the scope of input from disabled people and help provide regional perspective.
- 4.16 We want to make sure our new arrangements make a real difference with improved outcomes for disabled people. We welcome views on how we should evaluate the effectiveness of new arrangements for policy advice and strategic engagement.

Question 5 – How do we best ensure that discussions are effective?

5. Administration

- 5.1 Currently the administration of EQ2025, including recruitment of members, supporting meetings and payment of fees and expenses is undertaken by the Office for Disability Issues.
- 5.2 The Government is conscious that this is not the only model for supporting the new arrangements. There needs to be a reliable and cost effective system to ensure that appropriate advisors can be commissioned when required and are properly supported.
- 5.3 The Government welcomes views on how this would be best done, for example, this could be done as now using civil servants to provide the cross-Government engagement needed to ensure effective operation of the arrangements. Alternatively, the list of experts and forum could be delivered by a disabled people's organisation or consortium of organisations, or could be delivered by an individual funded to organise and facilitate the operation of the arrangements.
- 5.4 Issues include: how to best engage across the range of Government departments; how to best tap into networks of disabled people and their organisations; how best to ensure disabled people have a strong voice that influences Government thinking and decisions.

Question 6 – How should the new arrangements be administered?

6. Resources

- 6.1 In the last twelve months EQ2025 cost around £80k to run. We want to ensure that we get the best possible advice and engagement on policy and strategy, in a cost effective way, within the same financial envelope.

Question 7 – How do we ensure we get value for money?

7. Next Steps

- 7.1 EQ2025 members' contracts come to an end in September 2013 and EQ2025 will cease to operate from then. The Chair's contract is due to end in March 2014 and she will be retained on a personal basis to advise Government on the development of the successor arrangements to EQ2025 and continue to offer advice on policy and strategy.
- 7.2 We will spend the next three months listening to what disabled people have to say about how best to take these proposals forward and will ensure the current members of EQ2025 have the opportunity to contribute so that we benefit from their valuable experience and expertise in developing these proposals.
- 7.3 In parallel we will work with other Departments across Government to consider existing arrangements and explore with them how we can best build upon this so the new arrangements provide them with comprehensive quality advice.
- 7.4 In the autumn we will publish what people have told us and how we will proceed.

8. Responding to this consultation etc

Purpose of the consultation

- 8.1 This consultation is intended to ask for views on how best to ensure Government gets the expert advice it needs when developing and delivering policy.
- 8.2 The consultation questions are :

Principles:

Question 1 – Have we included the right principles? Are there others we should apply?

Policy Advice:

Question 2 – How should potential advisors be identified?

Question 3- What criteria should be applied to determine relevant expertise?

Strategic Engagement:

Question 4 – How do we make sure an engagement forum has the right membership?

Question 5 – How do we best ensure that discussions are effective?

Administration:

Question 6 – How should the new arrangements be administered?

Resources:

Question 7 – How do we ensure we get value for money?

Who the consultation is aimed at

- 8.3 The Department is keen to hear views from all interested parties, especially disabled people and disability organisations.

Scope of the consultation

- 8.4 Due to the devolved nature of social security in Northern Ireland, this consultation applies only to England, Wales and Scotland. However, we are working closely with colleagues in Northern Ireland and would welcome comments from individuals and organisations in Northern Ireland.

Duration of the consultation

- 8.5 The consultation period begins on 16 July 2013 and runs until 16 October 2013.

How to respond to this consultation

- 8.6 Please send your consultation responses to:

Office for Disability Issues
Department for Work and Pensions
Ground floor, Caxton House
Tothill Street
London
SW1H 9NA

Email: fulfilling.potential@dwp.gsi.gov.uk

- 8.7 Please ensure your response reaches us by the by midnight on 16 October 2013.
- 8.8 When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled. We will acknowledge your response.

Other ways of getting involved

- 8.9 We want to get views from as broad a range of people as possible. We intend to meet with disabled people and disability organisations throughout the consultation period.

- 8.10 This document is available in a range of formats, including large print, Braille, audio, BSL video and Easy Read either from our website www.odi.gov.uk or by contacting the Office for Disability Issues.
- 8.11 We have sent this consultation document to organisations and individuals who responded to the discussion document 'Fulfilling Potential' published in December 2011. Please do share this document with, or tell us about, anyone you think will want to be involved in this consultation.

Queries on this document

- 8.12 Please direct any queries about the subject matter of this consultation to The Office for Disability Issues.
- 8.13 The information you send us may need to be passed to colleagues within the Department for Work and Pensions and other Government Departments, published in a summary of responses received or in its entirety and referred to in the published consultation report.
- 8.14 All information contained in your response, including personal information, may be subject to publication or disclosure if requested under the Freedom of Information Act 2000. By providing personal information for the purposes of the public consultation exercise, it is understood that you consent to its disclosure and publication. If this is not the case, you should limit any personal information provided, or remove it completely. If you want the information in your response to the consultation to be kept confidential, you should explain why as part of your response, although we cannot guarantee to do this.
- 8.15 To find out more about the general principles of Freedom of Information and how it applies within DWP, please contact:

Central Freedom of Information Team
4th Floor, Caxton House
Tothill Street
London
SW1H 9NA

Email: Freedom-of-information-request@dwp.gsi.gov.uk

8.16 The Central FoI team cannot advise on specific consultation exercises, only on Freedom of Information issues. More information about the Freedom of Information Act can be found at: www.gov.uk/make-a-freedom-of-information-request.

The consultation criteria

8.17 The consultation is being conducted in line with the new Cabinet Office consultation principles (<https://www.gov.uk/government/publications/consultation-principles-guidance>). The key principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before;
- departments will need to give more thought to how they engage with and consult with those who are affected;
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Feedback on the consultation process

8.18 We value your feedback on how well we consult. If you have any comments on the process of this consultation (as opposed to the issues raised) please contact our Consultation Coordinator:

Elias Koufou
Department for Work and Pensions
2nd Floor, Caxton House
Tothill Street
London
SW1A 9NA

Phone: 020 7449 7439

Email: elias.koufou@dwp.gsi.gov.uk

8.19 In particular, please tell us if you feel that the consultation does not satisfy the consultation criteria. Please also make any suggestions as to how the process of consultation could be improved further.

8.20 If you have any requirements that we need to meet to enable you to comment, please let us know.