

**The UK's 2022 follow-up  
Report to the 2016 inquiry  
by the UN Committee on  
the Rights of Persons  
with Disabilities**



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## **The UK's 2022 follow-up Report to the 2016 inquiry by the UN Committee on the Rights of Persons with Disabilities**

1. This is the United Kingdom of Great Britain and Northern Ireland's 2022 follow-up report to the 2016 Inquiry by the UN Committee on the Rights of Persons with Disabilities (the Committee). This report responds to the recommendations issued by the Committee in its report<sup>1</sup> on the inquiry concerning the UK which was conducted under article 6 of the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities.
2. The UK government and devolved governments of Scotland, Wales and Northern Ireland share a strong commitment to support and improve the lives of disabled people. This report provides updates on policies and services delivered by the UK and devolved governments.

### **Recommendation 114a**

**Conduct a cumulative impact assessment of the measures adopted since 2010 referred to in this report, related to the rights to independent living and being included in the community, social protection and employment of persons with disabilities. The state party should ensure that this assessment is rights-based, and meaningfully involves persons with disabilities and their representative organisations.**

3. In line with the Public Sector Equality Duty (PSED), the government carefully considers the equality impacts of policies on those sharing protected characteristics. This is in line with both its legal obligations and its strong commitment to fairness.
4. HM Treasury carefully considers the equality impacts of the individual measures announced at fiscal events on those sharing protected characteristics, including sex, race and disability. This is in line with both its legal obligations under the PSED and with its strong commitment to equality issues.
5. Since 2010, the UK government has published cumulative analysis of the impacts of its tax, welfare and public spending policies on households. The most recent assessment published in the Spring Statement 2022<sup>2</sup>, showed that in the financial year 2024 to 2025, the poorest 60% of households will receive more in public spending than they contribute in tax. On average, households in the lowest income decile will receive over £4 in public spending for every £1 they pay in tax.
6. This cumulative distributional analysis is the most comprehensive available, covering not only the effects of direct cash transfers between households and government, but also the effects of frontline public service provision.

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<sup>1</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2f15%2f4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2f15%2f4&Lang=en)

<sup>2</sup> <https://www.gov.uk/government/publications/spring-statement-2022-documents>

## Devolved governments

7. Besides a qualitative impact assessment of budget decisions against all protected characteristics within the Equality Act 2010<sup>3</sup>, the Scottish Government also undertakes impact assessments when developing employability support. These include ensuring the rights of disabled people are upheld.
8. The Welsh Government continues to recognise the benefit of an integrated approach to impact assessments as a means of enabling a better understanding of the impact of policy making and spending decisions.
9. The introduction of the 'socio-economic duty' in March 2021 enables the Welsh Government to put a statutory commitment to tackling inequality at the heart of strategic decision-making. The Programme for Government also commits the Welsh Government to explore legislation to address pay gaps based on protected characteristics, including disability.
10. The Northern Ireland Executive established a Welfare Reform Composite Evaluation Framework to measure the impact of welfare reform implementation in that jurisdiction and any mitigations that have been introduced.

## Recommendation 114b

**Ensure that any intended measure of welfare reform is rights-based, upholds the human rights model of disability, and does not disproportionately and/or adversely affect the rights of persons with disabilities to independent living, adequate standard of living and employment. To prevent such adverse impacts, the state party should carry out human rights-based cumulative impact assessments of the whole range of intended measures which would impact the rights of persons with disabilities.**

11. The UK government believes that the PSED in the Equality Act 2010 is aligned with a rights-based approach. This is because it sets a legal duty on public bodies to consider the impact of policies on disabled people, and therefore how they are able to live their lives.
12. It ensures that equality issues, including the rights of disabled people, are mainstreamed into the policies and programmes of government and other public bodies to support the prevention of discrimination.
13. In July 2021, the government published the Shaping future support: the health and disability green paper<sup>4</sup>. It explored how the welfare (benefits) system can better meet the needs of disabled people by improving claimant experience of government services, enabling independent living and improving employment outcomes.
14. The green paper was informed by disabled people's experiences of the benefits system. A white paper which is due to be published later in 2022 builds on this work. The UK government continues to engage Disabled People's Organisations (DPOs) in advance of this.

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<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>

<sup>4</sup> <https://www.gov.uk/government/consultations/shaping-future-support-the-health-and-disability-green-paper>

## Devolved governments

15. The Social Security (Scotland) Act 2018 is the framework for a human rights based approach to the provision of social security, including disability assistance. Child and Adult Disability Payments are now being delivered by the Scottish Government in line with its values of dignity, fairness and respect. The Scottish Government has engaged extensively with disabled people and stakeholders in the development of disability assistance. This is to ensure the needs of disabled people are placed firmly at the centre of disability assistance in Scotland.
16. The Welsh Government has committed to incorporating human rights assessments as part of its next phase of improvement to the Integrated Impact Assessment process. The Welsh Government is also reviewing the Welsh Regulations relating to the PSED to ensure that they remain fit for purpose and take account of changes since they were introduced in 2011.

## Recommendation 114c

**Ensure that any intended legislation and or policy measure respect the core elements of the rights analysed in this report: that persons with disabilities retain their autonomy, choice and control over their place of residence and with whom they live receive appropriate and individualised support, including through personal assistance, and they have access to community-based services on an equal basis with others; they have access to security social schemes which ensure an income-protection, including in relation to the extra cost of disability, that is compatible with an adequate standard of living, and ensure their full inclusion and participation in society; and that they have access and are supported to employment in the open labour market on an equal basis with others.**

17. The UK government is implementing a number of measures to ensure that disabled people are supported to live independently and have an adequate standard of living and employment. This is in addition to the legislative protections offered through the Equality Act 2010.

## Housing support

18. The government consulted in late 2020 on options to raise the accessibility of new homes in England, recognising the importance of suitable homes for older and disabled people. These plans are set out in the government response, published in July 2022. The government will consult further on the technical changes to the Building Regulations to mandate the higher M4(2) accessibility standard, on statutory guidance and on its approach to how exceptions will apply<sup>5</sup>.
19. The Disabled Facilities Grant (DFG) in England provided £573 million in the financial year 2021 to 2022 to support older people and disabled people on low incomes, to adapt their homes to their needs. The government published the adult social care reform white paper - People at the Heart of Care<sup>6</sup> - which commits a further £573 million per year to the DFG between the financial year 2022 to 2023 and financial year 2024 to 2025. It outlines how it is ensuring that the DFG benefits more people in need.

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<sup>5</sup> <https://www.gov.uk/government/news/supply-of-accessible-homes-to-receive-vital-boost>

<sup>6</sup> <https://www.gov.uk/government/publications/people-at-the-heart-of-care-adult-social-care-reform-white-paper>

20. The white paper also committed to continued investment in the Care and Support Specialised Housing (CASSH) Fund, with £213 million over the next 3 years. This complements a new £300 million investment to connect housing with health and care, boost the supply of supported housing and increase local expenditure on services for those in supported housing.

### **Local authority support**

21. The UK government is making up to £30 million available to help local authorities in England substantially increase the number of Changing Places toilets<sup>7</sup> in every part of the country. Round 1 allocated £23.5 million to 190 local authorities across England in support of over 500 Changing Places toilet facilities. Round 2, launched August 2022, will continue to make shops, high streets and public places much more accessible in allocating the remaining £6.5 million to be delivered by the end of the financial year 2023 to 2024.
22. Round 2 builds on the outcome of Round 1 by targeting those areas where there is currently zero provision and local authorities who are ranked within the top 50% of need according to the updated index of need.

### **Social Care support**

23. The Health and Care Act 2022<sup>8</sup> established integrated care boards (ICBs) and integrated care partnerships. This will have a positive impact on disabled people, particularly with access to services, by ensuring integrated and co-produced health and care support to enable people to lead better lives.
24. In 2022, the UK government supported an amendment at the bill stage of the Health and Care Act. This introduced a requirement that all health and social care providers who carry out regulated activities must ensure their staff receive specific training on learning disabilities and autism. It also created a duty for the UK government to publish a code of practice, making provisions about training around content, delivery and evaluation.
25. The UK government is reforming adult social care through £5.4 billion investment over 3 years, building on measures in the Health and Care Act. This includes £3.6 billion to reform the social care charging system and enable local authorities to move towards paying providers a fair cost of care, and a further £1.7 billion to begin major improvements across adult social care in England, as set out in the adult social care reform white paper<sup>9</sup>.

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<sup>7</sup> Changing Places toilets are larger accessible toilets for severely disabled people with equipment such as hoists, privacy screens, adult-sized changing. The Department for Levelling Up, Housing and Communities is working in partnership with Muscular Dystrophy UK (MDUK) bringing their expertise, with facilities required to meet set specifications and be registered by the Changing Places Consortium.

<sup>8</sup> <https://www.legislation.gov.uk/ukpga/2022/31/contents/enacted>

<sup>9</sup> <https://www.gov.uk/government/publications/people-at-the-heart-of-care-adult-social-care-reform-white-paper>

26. The UK government is proposing to create new duties for commissioners of integrated care boards, to establish and maintain registers to understand the risk of crisis at an individual level in their local area. Both ICBs and local authorities must have regard to registers when carrying out their commissioning functions. This will ensure adequate community services are available for people with a learning disability and autistic people who are at risk of detention under the Mental Health Act. This is intended to enable better planning and reduce admissions to inpatient settings.
27. The 'Building the Right Support' policy outlines the support that people with a learning disability and autistic people should receive to live independent lives in the community, rather than in mental health hospitals. A delivery board oversees this work, bringing together organisations with the ability to make change and resolve historical issues. In July 2022, the government published a 'Building the Right Support' action plan<sup>10</sup>. It brings together actions across government and public services to strengthen community support and reduce reliance overall on mental health inpatient care.

### **Employment support**

28. The UK government is supporting disabled people to live independent lives and start, stay and succeed in work. Initiatives include:
  - the Work and Health Programme
  - the Intensive Personalised Employment Support programme (IPES)
  - Access to Work
  - Disability Confident
  - support in partnership with the health system, including Employment Advice in NHS Improving Access to Psychological Therapy (IAPT) services.
29. Since 2019, more than £40 million has been invested into the IPES programme. It provides intensive support to disabled people with complex barriers to work, and can be delivered for up to 21 months, including 6 months of intensive in-work support. It will provide support for 11,188 disabled people to find work over 4 years.
30. The UK government will provide £1.3 billion funding for employment support for disabled people and people with health conditions between 2022 and 2025. In the policy paper Improving Lives: The Future of Work, Health and Disability<sup>11</sup>, published in November 2017, the government set a goal to reduce the disability employment gap and get one million more disabled people in employment by 2027. Between 2017 and 2022, the number of disabled people in employment increased by 1.3 million, achieving the goal in half the time.
31. The government has taken forward its commitment to consult on "making flexible working the default unless employers have good reasons not to". The consultation closed on 1 December 2021 and received a significant number of responses, including from disability organisations. The government is reviewing the responses and will respond in due course.

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<sup>10</sup> <https://www.gov.uk/government/publications/building-the-right-support-for-people-with-a-learning-disability-and-autistic-people>

<sup>11</sup> <https://www.gov.uk/government/publications/improving-lives-the-future-of-work-health-and-disability>

## Devolved governments

32. The Scottish Government will invest £10 million in Changing Places toilets<sup>12</sup> over this parliamentary term to encourage the development and provision of more changing places toilets across Scotland, allowing easier access to events and outdoor venues around the country. In September 2020, the Scottish Government committed to the establishment of a functioning National Care Service (NCS), and introduced legislation in June 2022 to enable its creation<sup>13</sup>. The NCS will be the most ambitious reform of Scottish public services since the creation of the NHS.
33. The Scottish Government's first iteration of devolved employability provision, Fair Start Scotland (FSS), provides person-centred, holistic support for those furthest from the labour market. Since launching in 2018, there have been over 41,000 FSS starts, including more than 18,000 disabled people - 44% of all participants. Delivery has been extended until March 2023, and service providers are working with local and national level DPOs to continuously improve the offer of support.
34. The Welsh Government is developing new guidance for Local Housing Market Assessments (LHMAs) with local authorities and housing associations, including an analysis of the need for homes of key groups. This includes disabled people, people with mental health conditions, ethnic minorities, including ethnic minority women, older people and homeless people within each local authority. The aim is to understand:
  - the availability of appropriate housing
  - the estimated future need
  - shortfalls for each key group
35. The Welsh Government's new plan for employment and skills - Stronger, fairer, greener Wales - published in March 2022,<sup>14</sup> places renewed focus on improving labour market outcomes for disabled people and other groups. It highlights the Welsh Government's commitment to give people the skills and confidence to fulfil their potential regardless of background, empowering them to make informed choices to find and secure fair work, start a business, switch careers, progress, and overcome barriers along the way.
36. In line with commitments in the 'New Decade New Approach' agreement, the Northern Ireland Executive is continuing work on a new disability strategy. The strategy is being developed in line with the UK's commitments under the UN Convention on the Rights of Persons with Disabilities using a co-design approach, with the involvement of deaf and disabled people and their representative organisations, including DPOs. It will provide a framework to focus the Northern Ireland Executive's collective efforts to improve the lives of deaf and disabled people.

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<sup>12</sup> The Department for Levelling Up, Housing and Communities have introduced new building regulations so all new public buildings must have Changing Places toilets.

<sup>13</sup> <https://www.gov.scot/news/national-care-service-bill-published/>

<sup>14</sup> <https://gov.wales/stronger-fairer-greener-wales-plan-employability-and-skills#:~:text=Stronger%2C%20fairer%2C%20greener%20Wales%3A%20a%20plan%20for%20employability,thrive%2C%20for%20a%20more%20equal%20Wales.%20Part%20of%3A>



37. In June 2022, the Northern Ireland Executive, in partnership with the Harkin Institute, hosted the Harkin International Disability Employment Summit 2022 in Belfast. 630 delegates from over 30 countries were in attendance for 47 programme items with keynotes from the World Bank, Microsoft and others. Alongside wider events for senior government and business leaders, a legacy programme secured over 400 jobs for disabled people.

#### **Recommendation 114d**

**Ensure that public budgets take into account the rights of persons with disabilities; that sufficient budget allocations are made available to cover extra costs associated with living with a disability, and that appropriate mitigation measures, with appropriate budget allocations are in place for persons with disabilities affected by austerity measures.**

38. The UK government invests greatly in supporting disabled people in a range of areas. For example, the Spending Review 2021 invested over £4 billion in schemes specifically targeted at disabled people, including employment support and school places for children with special educational needs and disabilities (SEND).
39. Furthermore, the UK government is forecast to spend around £67 billion on benefits in the financial year 2022 to 2023 to support disabled people and people with health conditions in Great Britain, either directly or through transfers to the Scottish Government. Further funding is made available to Northern Ireland to provide the same level of welfare provision as in Great Britain.
40. The UK government increases a range of disability and carers' benefits each year in line with inflation. These include Attendance Allowance, Disability Living Allowance, Personal Independence Payment, Carer's Allowance, Severe Disablement Allowance, and Industrial Injuries Disablement Benefit. Each of these benefits will be increased in the financial year 2022 to 2023 broadly in line with the Consumer Price Index (CPI) inflation rate of 3.1%.

#### **Cost of living support**

41. The UK government is providing households with cost of living support totalling over £37 billion this year. This includes a £650 cost of living payment for people on means-tested benefits. In addition, 6 million eligible disabled people will receive a one-off, disability Cost of Living payment of £150 to help with additional costs.

#### **Personal budgets**

42. Carers are entitled to receive an assessed personal budget to meet their care and support needs. A personal budget will be agreed in the carers' assessment plan and can include, for example, organising replacement care, travel expenses or fees to take up leisure or education activities. Direct payments can be made to:
- disabled people aged 16 or over with short or long-term needs
  - parents with disabilities for children's services
  - carers aged 16 or over

43. Local authorities are required to undertake a carer's assessment for any carer who needs support. If a carer is eligible for support, the local authority has a legal duty to meet these needs and to prepare a support plan with the carer. The Adult Social Care Reform white paper, published in December 2021, sets out how the government will work with the sector to improve the services provided to support unpaid carers.
44. In the health and social care integration white paper<sup>15</sup>, published in February 2022, the UK government reaffirms its commitment to personal budgets as a means for supporting integration for individuals, including disabled people who use care services to get the right care at the right time. Health and social care staff will also have better access to people's health and care records. Pooled and aligned budgets will allow coherent transitions between the health and social care system, and so avoid delays historically between systems. This will ensure a reliable link with the NHS so that services support the individual.

### **Adult social care funding**

45. English local authorities are responsible for commissioning adult social care services. Social care supports adults of all ages, including young people moving into adulthood and those of working age with a diverse range of needs. Central government allocates funding between local authorities to ensure all councils have enough funding to provide services to their residents. The funding allocations include specific formulas designed to reflect the relative needs of different authorities and more funding is allocated to councils with relatively higher needs.
46. The Local Government Finance Settlement for the 2022 to 2023 financial year made available an additional £3.7 billion to councils, which includes over £1 billion specifically for social care in the financial year 2022 to 2023. This ensures that councils across the country are able to deliver key services, including adult social care, and supports delivery of the government's £5.4 billion adult social care reform programme announced in September 2021. The UK government worked with over 200 stakeholders to develop these plans.

### **Community Discharge Grant (CDG)**

47. The Community Discharge Grant provides £74 million across the UK to support discharge from hospital into the community for people with a learning disability and autistic people. The grant provides local authorities with additional funding to address 'double running costs', where costs occur when a person is still an inpatient requiring a bed but a community care package is also in place.
48. To ensure oversight of local authority CDG expenditure, the UK government introduced a data recording tool for the 2021 to 2022 financial year which was developed in conjunction with local government, with the aim of collating data to demonstrate the effectiveness of the grant. This evidence base will help the government to understand how the grant has been utilised and how effective it has been, and thereby will inform future decisions.

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<sup>15</sup> <https://www.gov.uk/government/publications/health-and-social-care-integration-joining-up-care-for-people-places-and-populations>

## Devolved governments

49. Scotland's National Strategy for Economic Transformation<sup>16</sup> contains actions to deliver economic prosperity in a way that ensures fairness and has a positive impact on our environment. It contains a specific action to establish a Centre of Expertise in Equality and Human Rights within the Scottish Government. Independent Living Fund Scotland provides financial awards to people with severe and/or complex disabilities with intensive care needs resident in Scotland and Northern Ireland, supporting 2,435 people in April 2022. The Scottish Government has further committed to implementing the recommendations set out in the Coming Home Implementation report<sup>17</sup> regarding people with complex needs spending too long in hospital.
50. The Welsh Government has increased their housing budget to provide aids and home adaptations for disabled people from £17.66 million in the 2020 to 2021 financial year to £19.5 million in 2022 to 2023. This includes additional funding for Care and Repair agencies to provide rapid adaptations to facilitate hospital discharge and reduce the number of delayed transfers of care, as well as covering the costs of necessary work before adaptations can be installed, such as essential electrical and heating maintenance or damp prevention works.
51. The Northern Ireland Executive delivers additional financial support for people who suffer a financial loss following reassessment from Disability Living Allowance to Personal Independence Payment or are appealing a decision not to award benefits. Similar support is available to carers of people with a disability who experience a loss of benefit. This support has been extended until 31 March 2025.
52. There are currently around 390 recipients of Independent Living Fund (ILF) awards in Northern Ireland. ILF awards are distributed to those who have severe and/or complex disabilities with intensive care needs, enabling recipients to choose to live independently in the community. The award is used to pay either for care agency staff, or for the recipient to employ their own personal assistant.

## Recommendation 114e

**Introduce all necessary adjustments to make fully accessible all information, communications, administrative and legal procedures for all persons with disabilities in relation to social security entitlements, independent living schemes, and employment/unemployment-related support services.**

53. Under the Equality Act 2010, all public bodies, service providers and employers are required to make reasonable adjustments to any element of a job or service which places a disabled person at a substantial disadvantage compared to a non-disabled person. This can include providing information in alternative formats, or where appropriate providing interpretation services.
54. The UK government's Disability and Access Ambassadors (DAAs) are industry leaders who help to drive improvements in the accessibility and quality of services and facilities in their sector for disabled people, as both consumers and employees. They cover a wide range of private sectors, including technology and web accessibility, recruitment and built environment.

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<sup>16</sup> <https://www.gov.scot/publications/scotlands-national-strategy-economic-transformation/>

<sup>17</sup> <https://www.gov.scot/news/coming-home-implementation-report/#:~:text=The%20actions%20to%20be%20taken%20for%20from%20the,at%20risk%20of%20hospital%20admission%20or%20inappropriate%20placements.>

## **British Sign Language Act 2022**

55. The British Sign Language Act 2022<sup>18</sup> promotes and facilitates the use of British Sign Language (BSL) by providing legal recognition, while preserving the architecture of the Equality Act 2010. The act recognises BSL as a language of Great Britain (England, Scotland and Wales). It does not extend this recognition to Northern Ireland as there are 2 distinct sign languages used in Northern Ireland – BSL and Irish Sign Language (ISL). ISL is not in the scope of the Act.
56. The British Sign Language Act:
- recognises BSL as a language of Great Britain
  - places a duty on a UK Government Secretary of State to report on the promotion and facilitation of BSL by ministerial departments
  - places a duty on a UK Government Secretary of State to issue guidance to ministerial departments on the general promotion and facilitation of BSL across their public communications.
57. A BSL Advisory Board is being established to guide implementation of the Act from the perspective of people who use BSL. It will mainly consist of BSL signers and will operate in both BSL and English, with all meeting papers available online.

## **Accessible employment and welfare support services**

58. Communications promoting the Access to Work scheme are available in a range of formats, including BSL videos and easy-read versions. In addition to working with all common assistive technology, users will have a choice of channels and assisted journeys that can help support them to apply for and claim the grant.
59. Access to Work is transforming its service to deliver a modern, efficient, digital service that provides an improved user experience. This includes enabling users to submit a claim online, upload evidence and have the claim digitally counter-signed through a quick and simple portal, as well as viewing previously submitted claims and grant expenditure. There will also be a redesign of the current online application, including more accessible interactions, improved content and a more structured data gathering.
60. In response to the COVID-19 pandemic, the UK government made changes to health and disability benefits to safeguard the health of claimants and staff, and to prioritise new claims and continuity of awards. Changes included conducting telephone-based assessments, where suitable, in addition to paper-based, face-to-face and video assessments, and enabling third parties to join telephone and face-to-face assessments where needed.

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<sup>18</sup> <https://www.legislation.gov.uk/ukpga/2022/34/contents>

### **Digital accessibility**

61. The Government Digital Service (GDS) has established an accessibility monitoring team to monitor a sample of public sector websites and mobile apps for accessibility. GDS and the Equality and Human Rights Commission, the Equality Commission for Northern Ireland and the Equality Advisory Support Service have established a user reporting process through the accessibility statements to make it easier for disabled users to report accessibility issues on public sector websites. GDS continues to promote the digital accessibility agenda across the public sector and the wider public through guidance, support and training.

### **Devolved governments**

62. The Social Security (Scotland) Act 2018 requires Scottish ministers to have regard to the importance of communicating in an inclusive way, ensuring people with difficulty communicating can receive information and express themselves in ways that meet their needs. The act also requires Scottish ministers to ensure publicly available information is in an accessible format.
63. The Scottish Government continues to fund and support the contact SCOTLAND BSL online interpreting Video Relay Service. This enables Deaf and Deafblind BSL users to phone, through video relay interpreters, private sector numbers as well as statutory and third sector numbers, 24 hours a day, 365 days a year.
64. In 2004, the Welsh Government formally recognised BSL as a language. Since then, the Welsh Government has supported training to increase the number of qualified interpreters in Wales, and ensured that policies, programmes and legislation across the Welsh Government recognise the importance of accessible communications.
65. The Welsh Government has consulted on the introduction of a Strategic Housing Adaptations Framework to bring together adaptations providers, health and care services, allied health professions and disabled people to improve information about and access to services which support independent living, including home adaptations. The framework will operate at a regional level throughout Wales and is expected to be implemented from April 2023.
66. Under the Disability Discrimination Act 1995, the Northern Ireland Civil Service (NICS) has a duty to make reasonable adjustments to disabled people.
67. A range of training is available to NICS staff to help them support the people of Northern Ireland who access key services, including a specific disability awareness e-learning module for frontline staff and training on supporting vulnerable people. A new autism awareness product was also launched in June 2022.
68. The NICS remains committed to being a JAM (Just a Minute) friendly organisation for people with learning difficulties, autism, or communication barriers. JAM Card awareness training is available to all staff.

## Recommendation 114f

### **Ensure access to justice, by providing appropriate legal advice and support, and including through reasonable and procedural accommodation to persons with disabilities seeking redress and reparation for the alleged violation of their rights covered by this report.**

69. In May 2020, changes in legislation were made to remove the requirement for legal aid applicants with debt, discrimination and special educational needs cases to first seek advice through the Civil Legal Advice telephone services, reinstating immediate access to face-to-face legal advice in these cases.
70. The Equality Act 2010 protects people from being discriminated against because of a disability in the provision of services and in employment. As with all provisions under the act, it is for a person who believes they have been subject to discrimination because of a disability, including a failure to provide reasonable adjustments to personally seek advice or redress. They may contact the Equality Advisory and Support Service (EASS), the government helpline established to provide free bespoke advice and in-depth support to individuals with discrimination concerns. The EASS can be contacted via their website, by telephone or text phone. The EASS has the ability to intervene on someone's behalf with a service provider to help resolve an issue. It can also advise individuals who wish to take their complaint further on their options.
71. The Advisory, Conciliation and Arbitration Service (Acas) provides free authoritative and impartial advice to employees, applicants and employers through their website and telephone helpline or text relay. Anyone who contacts Acas will be offered the opportunity to use the early conciliation service. If the process does proceed to court, the Employment Tribunal will decide whether an act of discrimination has taken place.
72. In July 2021, Acas together with the Department for Business, Energy and Industrial Strategy launched an online advice hub to help disabled people in England, Scotland and Wales understand their rights at work. In Northern Ireland, advice is available through the Equality Commission for Northern Ireland.
73. Court and tribunal users are encouraged to contact the court before any type of hearing to discuss the particular adjustments or support they require, to enable their individual needs to be met. Information about reasonable adjustments is available on GOV.UK<sup>19</sup>. Reasonable adjustment guidance and learning and broader disability guidance is provided to all HM Courts and Tribunals Service staff. All guidance raises awareness of the issues people with hearing loss may face, and the reasonable adjustments which may help them to fully participate in hearings.
74. In 2021, the UK government followed up its £5.4 million contribution to support the not-for-profit sector with an additional £2 million to manage the ongoing impacts of COVID-19. The Sector Sustainability Grant (SSG) supported 66 not-for-profit legal advice organisations in England and Wales for the 2021 to 2022 financial year. In July 2022, the government announced £3.2 million in new grant funding for litigants in person support services for the 2022 to 2023 financial year. This initiative will continue to help ensure vulnerable people facing civil and family legal issues can get help early, reducing the need to go to court.

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<sup>19</sup> <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/equality-and-diversity>

## Devolved governments

75. Since the National Taskforce for Human Rights Leadership (NTfHRL) published its recommendations in March 2021 the Scottish Government has engaged with stakeholders on access to justice issues through its Advisory Board, Executive Board and Lived Experience Board, alongside a number of separate, targeted workshop discussions. These workshops focused on the themes of prevention, non-judicial remedies and routes to remedy.
76. Registered Intermediaries were introduced to the Criminal Justice System in Northern Ireland in 2013 to facilitate communication by assisting all vulnerable victims, witnesses, suspects and defendants with significant communication difficulties to give their best evidence during the police investigation and at trial.

## Recommendation 114g

**Actively consult and engage with persons with disabilities through their representative organisations and give due consideration of their views in the design, implementation, monitoring and evaluation of any legislation, policy or programmatic action related to the rights addressed in this report.**

77. The UK government continues to work closely with the Disability Charities Consortium (DCC), which is made up of 9 of the UK's largest disability charities<sup>20</sup>. This year, the DCC has engaged with the Minister for Disabled People and officials across government on numerous issues, including the BSL Bill, the disability employment gap target, disabled people's transitions to adulthood, and strengthening evidence and data on disabled people and their lived experiences.
78. The UK government has this year started working with the DPO Forum England. Set up in 2021, it is wholly run for and by DPOs. Over 35 organisations are members, working with thousands of disabled people across England. The forum acts as an umbrella agency for collective action by the larger and more active DPOs throughout England, allowing for high-level strategic activity by the DPO sector.
79. Members of the forum and other DPOs co-produced workshops with officials on early work to improve engagement with government. Further work over the next year will build on the insight from these workshops to deepen and broaden DPOs' voices in policy development, particularly from currently under-represented groups.
80. The UK government has continued its development of the Regional Stakeholder Network (RSN) in England, made up of disabled people, their organisations, parents and carers. Chairs hold regional meetings regularly to hear issues raised by disabled people living across England. Officials meet with the chairs monthly to discuss these issues and provide further information or link the chairs to the correct cross-government colleague. More recently, the RSN has been focused on engaging with officials across government on the rise in the cost of living, transport issues for disabled people, pavement accessibility, and the COVID-19 Inquiry, among other issues.

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<sup>20</sup> The chief executives of Business Disability Forum and Scope co-chair the DCC with the remaining members being Leonard Cheshire, Mencap, Mind, National Autistic Society, RNIB, RNID and Sense.

81. The UK government recognises the importance of putting the voices of disabled people at the heart of health and disability policy development. For example, the Department for Work and Pensions (DWP) and the Minister for Disabled People engaged with disabled people, people with health conditions and their representatives in a series of events, held as part of the public consultation undertaken following the health and disability green paper published in July 2021. Over 4,500 responses were received, enabling disabled people's experiences of navigating the benefits system and DWP employment support to be heard.
82. The UK government consulted on raising accessible housing standards in 2020, communicating options for policy and legislative change with disabled people and their representative organisations. This policy project and work is ongoing and consultation will further continue to seek and include views on the design, implementation and evaluation of actions, relating to accessible new build housing.
83. The UK government recognises the value of disabled people's participation in policy planning and design. As equality is mainstreamed across government, all departments are responsible for consulting and engaging with disabled people and their organisations on a wide range of policy issues affecting them. This includes policies and legislation that are not specific to disabled people, but that impact them along with others in society.
84. For example, the UK Government has engaged extensively with a wide range of organisations, including those representing disabled people, to ensure that key issues affecting disabled people online can be addressed through the Online Safety Bill<sup>21</sup>. This engagement will continue during passage of the bill.

### **Devolved governments**

85. The development of a new disability equality strategy for Scotland has begun with a steering group of DPOs. The strategy will be co-designed with DPOs, who will engage with their disabled members to ensure their views are carefully considered.
86. Launched in 2016, Scotland's Accessible Travel Framework<sup>22</sup> outlines a vision that "All disabled people can travel with the same freedom, choice, dignity and opportunity as other citizens". The framework's second annual delivery plan<sup>23</sup> was launched in 2021. The 2022 annual delivery plan is currently under development.
87. The report - "Locked Out: Liberating disabled people's lives and rights in Wales beyond COVID-19"<sup>24</sup>, published in July 2021, highlighted the inequalities that many disabled people face in Wales. The key report response has been the establishment of the Disability Rights Taskforce by the First Minister. The taskforce brings together people with skills and lived experience, the Welsh Government policy leads and representative organisations to address the issues and barriers highlighted in the report, which affect the lives of many disabled people.

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<sup>21</sup> <https://bills.parliament.uk/bills/3137>

<sup>22</sup> <https://www.transport.gov.scot/publication/going-further-scotland-s-accessible-travel-framework/>

<sup>23</sup> <https://www.transport.gov.scot/publication/scotland-s-accessible-travel-framework-annual-delivery-plan-2021-22/>

<sup>24</sup> <https://gov.wales/locked-out-liberating-disabled-peoples-lives-and-rights-wales-beyond-covid-19>



88. The taskforce output will be a new disability rights action plan for Wales which will be supported by a newly established Disability Disparity Evidence Unit. Establishment of the unit involved consulting with disabled people and representative organisations. Subsequent research undertaken by the unit will be done using co-production techniques and involve disabled people at every stage.
89. The Northern Ireland Executive's new disability strategy is being developed using a co-design approach in line with the UN Convention on the Rights of Persons with Disabilities, with a focus on lived experience and the direct involvement of Deaf and disabled people and their representative organisations. 3 groups were established to support and advise the Northern Ireland Executive in strategy development and production:
- the Expert Advisory Panel
  - the Strategy Co-Design Group
  - the Cross-departmental Working Group

### **Recommendation 114h**

**Take appropriate measures to combat any negative and discriminatory stereotypes and prejudices against persons with disabilities in public and media, including that dependency on benefits is in itself a disincentive of employment; implement broad mass media campaigns, in consultation with organisations representing persons with disabilities, particularly those affected by the welfare reform, to promote them as full rights holders, in line with the Convention; and adopt measures to address complaints of harassment and hate crime by persons with disabilities, promptly investigate these allegations, hold perpetrators accountable and provide fair and appropriate compensation to victims.**

90. The UK government takes all forms of hate crime seriously, including those targeting disabled people. The legislative framework to tackle hate crime includes provisions for the court to increase a sentence where the offence was motivated by hostility towards a person's disability.

### **Anti-bullying**

91. All schools are legally required to have a behaviour policy that prevents bullying. The UK government is providing over £2 million, between August 2021 and March 2023, to 5 anti-bullying organisations to support schools to tackle bullying. This includes projects targeting bullying of particular groups, such as children with SEND and victims of hate-related bullying.

### **Online Safety Bill**

92. Under the new Online Safety Bill, users or other affected persons must be able to easily report harmful content and activity, wrongful takedown and restriction, and broader concerns about a company's compliance with its regulatory duties. Users can expect companies to take action in relation to those complaints, including:
- content removal
  - sanctions against offending users
  - reversing wrongful content removal or
  - changes to processes or policies rather than financial compensation.

93. The UK government is also updating criminal law to account for harmful communications online, including those directed at disabled people and public figures. The UK government asked the Law Commission to review existing criminal law for harmful communications online and offline. Following the Law Commission's final report, the government is taking forward the recommended harmful communications, false communications and threatening communications offences through the Online Safety Bill. In addition, the government is also taking forward a new cyberflashing offence and a new offence of epilepsy trolling in the bill.

### **Autism initiative**

94. The UK government's Department of Health and Social Care is working with stakeholders to develop and test an initiative to improve public understanding and acceptance of autism. This was a commitment in the National Strategy for autistic children, young people and adults: 2021 to 2026<sup>25</sup>. The strategy, published in July 2021, also outlined other commitments, including to continue to promote a disability equality training package for transport operators; and to resume the 'it's everyone's journey' campaign to create a more inclusive and supportive public transport environment for disabled people.

### **Devolved governments**

95. The Hate Crime and Public Order (Scotland) Act received royal assent in April 2021. Once in force, the act will maintain current legislative protections against offences aggravated by prejudice related to disability, and create a new offence of stirring hatred on the basis of disability. Building on this, the Hate Crime Strategic Partnership Group met for the first time in April 2022. Containing key delivery partners and stakeholders (including DPOs), they will work to develop a new hate crime strategy for publication later this year.
96. The Welsh Government appointed Victim Support Cymru as the supplier for the new 'Wales Hate Support Centre' on 1 April 2022. The centre provides free, accessible, confidential support and advocacy to all victims of hate crime, including disabled people. In March 2021, the Welsh Government launched its anti-hate crime campaign called 'Hate Hurts Wales' which has appeared via digital communications, targeted outdoor advertising, and TV advertising.
97. A new Victims of Crime Commissioner Designate post has been established in Northern Ireland. Part of the role of the commissioner is to recognise the specific needs of vulnerable victims and give specific attention to victims of hate crime, including those with disabilities. The commissioner's functions include the ability to direct complaints to relevant responsible bodies within the Victim Charter and monitor the outcomes of these.

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<sup>25</sup> <https://www.gov.uk/government/publications/national-strategy-for-autistic-children-young-people-and-adults-2021-to-2026>

## Recommendation 114i

**Ensure that in the implementation of legislation, policies and programmes, special attention is paid to persons with disabilities living in low income or poverty, persons with disabilities with higher risk of exclusion, such as persons with intellectual, psychosocial or multiple disabilities, women, children and older persons with disabilities. These measures should be put in place within contributive and non-contributive regimes.**

98. Public sector bodies and those exercising public functions are encouraged to consult with disabled groups and to conduct equality analysis to inform decisions on their policies and service delivery. Where equality analysis identifies disproportionate impacts on disabled people, organisations should consider options for removing or reducing the likelihood of negative consequences. This can include adaptations to the overall approach, and measures to mitigate against the possible disproportionate impacts or transitional arrangements.
99. Supporting departments across government to comply with this, the Disability Unit, which forms part of the Equality Hub in the Cabinet Office, actively engages with other UK government departments on the development and implementation of a range of policies, including the COVID-19 mental health and wellbeing recovery action plan<sup>26</sup> and the Levelling Up the United Kingdom white paper<sup>27</sup>. This helps to ensure that adequate attention is paid to the needs of a wide range of disabled people across society on issues that are not necessarily specific to disabled people.

### Devolved governments

100. In January 2021, the Social Renewal Advisory Board published the report - 'If not now, when?'<sup>28</sup>. It contained calls to action which have continued to have a significant impact on the Scottish Government's work with 69 of the 77 recommendations being progressed in part or in full. While the board's work has now ended, the Scottish Government continues to build on the calls to action, sharpening its focus on reducing poverty and disadvantage and embedding a human-rights approach through its COVID-19 Recovery Strategy.
101. The Welsh Government funds Advicelink Cymru to help low-income households maximise income funds and access their benefit entitlements. The Welsh Government is running a second national 'Claim What's Yours' welfare benefit take-up campaign. A number of pilot campaigns have targeted tailored messages and support to encourage take-up among groups least likely to be claiming the financial support they are entitled to. In addition, people experiencing extreme financial hardship may be eligible for support through the Discretionary Assistance Fund.
102. The Northern Ireland Executive's new social inclusion strategies, including an anti-poverty strategy and disability strategy, are being developed using a co-design approach. The strategies will take account of intersectionality and aim to bring focus to identifying and addressing the issues, barriers and disadvantages that undermine equality of opportunity, including those relating to income inequality.

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<sup>26</sup> <https://www.gov.uk/government/publications/covid-19-mental-health-and-wellbeing-recovery-action-plan>

<sup>27</sup> <https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

<sup>28</sup> <https://www.gov.scot/publications/not-now-social-renewal-advisory-board-report-january-2021/>

## Recommendation 114j

**Set up a mechanism and a system of human rights-based indicators to permanently monitor the impact of the different policies and programmes relating to persons with disabilities' access and enjoyment of the right to social protection and an adequate standard of living, the right to living independently and being included in the community, and the right to work, in close consultation with persons with disabilities and their representative organisations in all regions and countries that conform the state party.**

103. The Equality and Human Rights Commission (EHRC) has enforcement powers to compel compliance with the Equality Act 2010, including the disability discrimination and accessibility provisions, and to challenge organisations where required. If the EHRC suspects a public body of committing a breach of the discrimination provisions, it has the powers to conduct an investigation and take action to ensure the organisation avoids further breaches.
104. The Office for National Statistics (ONS) publishes routine statistics on outcomes for disabled people across different areas including employment, education, social participation, housing, well-being, loneliness and crime. ONS also provides data on indicators as part of monitoring for the Sustainable Development Goals. Census 2021 will enable updated estimates of disability and social inequality as well enabling reporting on intersections with all other protected characteristics for the first time.
105. Through the implementation of the Inclusive Data Task Force recommendations, ONS will improve collection and reporting of disability-related data, including via the Government Statistical Service Harmonisation team's workplan<sup>29</sup>. The plan includes working with key stakeholders to ensure disability standards meet user needs, and testing possible improvements and changes to the question design for the disability standards.

### **Devolved governments**

106. The National Taskforce for Human Rights Leadership (NTfHRL) published its recommendations in March 2021<sup>30</sup> for a new human rights framework for Scotland. The report makes 30 recommendations relating to the proposed framework. As part of taking forward the recommendations from the NTfHRL and UN treaty monitoring bodies, a new Human Rights Bill will be introduced to the Scottish Parliament.
107. An early output from the Disability Disparity Evidence Unit in Wales will be to co-produce survey questions, enabling research participants to self-identify as disabled by societal barriers and to explore what those barriers are. This will highlight opportunities to utilise the new questions and develop a deeper understanding of the extent of disparities among disabled and non-disabled people. This will include how societal barriers directly affect an individual's ability to enjoy social protection, an adequate standard of living, to live independently and to work.

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<sup>29</sup> <https://gss.civilservice.gov.uk/policy-store/gss-harmonisation-team-workplan/#disability>

<sup>30</sup> <https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/>