Written response to the recommendations from Scottish Disability Equality Forum

Comments

SDEF has a number of concerns over funding priorities arising from the concordat outlined in the Scottish Government budget 2007. Equalities issues usually slide from the agenda during times of financial constraint and it is hoped that the Equal Opportunities Committee is mindful of this.

It is assumed that the Committee will work with new single commission (EHRC) to implement the recommendations of its report: Removing Barriers and Creating Opportunities.

Disability Equality Duty

The Scottish Government must impact assess all of its policies with regard to disability under disability legislation. Ministers should take their responsibilities under the Disability Equality Duty seriously and report to the Parliament. Impact assessments should be placed on the Scottish Government website. The Equal Opportunities Committee should press the Government to ensure that legislation is upheld. The Disability Equality Duty represented a significant move forward for people with disabilities. The impact assessment part is a strength that should not be underplayed.

The Scottish Disability Equality Forum (SDEF) is keen that the EHRC carries on the work of the DRC, although members have expressed worry that the disability strand will be lost. A key concern for our members is lack of access to justice, not only for people with disabilities but for all those who experience inequality. We would like to be assured that the new Commission has the resources to properly challenge persistent inequality where service providers break the law with impunity. We hope that the EHRC continues to enforce the Disability Equality Duty so that public authorities implement measures to eradicate discrimination. We look to the Commission to review Disability Equality Schemes a year on and pay particular regard to the impact assessment part of the Duty, as this represents one of the real strengths of the Duty. Earlier this year the UK Government proposed in the Discrimination Law Review to water down the Disability Equality Duty. We hope that Parliamentarians will stand by the responses from equalities groups in Scotland that responded negatively to this.

SDEF is pleased to see that the Committee has recommended the adoption of the social model of disability in terms of recognising the external barriers that are disabling. However, there is merit in considering the ongoing debate of the social model rather than seeing disability in an overly simplistic manner.
The Scottish Government should review its Disability Equality Scheme, ensure that it is disseminated among its Directorates and that senior management understand their responsibilities and actively promote the scheme. Disability equality and awareness training should be mandatory for all public sector employees.

The Government should live up to the equality strategy. It is interesting to note that the current budget was not equality proofed in terms of disability. The Equal Opportunities Committee may seek clarity on whether the EHRC will replace the previous commissions on the Equality Budget Proofing and Policy Advisory Group (EPBPAG).

The Scottish Government has recently held a consultation on the Equalities Review. It is hoped that this, along with the recommendations of the Disability Working Group, will help make progress on disability equality. However, it seems that consultations continue to cover the same ground without always resulting in practical action points.

**Independent Living**

There is support for an independent living task force. It is thought that the Scottish Government might be ready to make an announcement regarding this in the near future. Should a task force be instigated it is expected that it would have representation from disabled people and disability organisations.

SDEF is concerned that local authorities are not providing disabled people with correct information regarding direct payments and in some cases have suspended this funding for care altogether. Some local authorities are also auctioning off care packages to the lowest bidder without due regard for the individuals who would be in receipt of care. This is a mockery of person-centred care planning.

We also draw your attention to a series of reports in 2007 by Carers UK that look at the financial and health penalty incurred by unpaid and family carers who take up caring responsibilities with little or no support.

**Training**

The Disability Working Group identified disability equality and awareness training as a priority area and it hopes to address problems relating to quality assurance. SDEF encourages its members who provide training to attend training for trainers courses but recognises that the quality of disability equality training is variable at present.

It will be difficult to achieve cultural change until disability equality training is part of the induction process for all employees. It is not helpful to restrict it to those
who only work with disabled people professionally. Some businesses have found it useful as part of customer care training.

**Employment**

The Scottish Government should ensure that businesses have sufficient guidance and support to enable them to confidently recruit people with disabilities and should promote research findings that demonstrate that disabled employees are more reliable than their able-bodied counter-parts. Flexible working arrangements for disabled people and family or unpaid carers should not be seen as a threat by industry.

Although welfare reform is a reserved matter, the Scottish Government must ensure that disabled people are treated fairly, are not pushed into unsuitable employment and that a person-centred approach is adopted. Proper support for work must be in place. Guidance should be made available for disabled people on opportunities for employment and employment practices. Those unable to sustain employment should not be penalised and should not be subject to financial distress if they have to move back on to benefits.

Structures should be put in place to ensure that disabled people have access to information and advice regarding employment rights and have sufficient resources to mount a challenge when necessary. STUC could lead on this. There is a death of independent advocacy services in general and the Committee may choose to look into how they are funded.

Public bodies are bound by the Disability Equality Duty to report on recruitment, retention and career paths of people with disabilities. The public sector has a role to play in terms of data gathering and best practise here. SDEF's work on various schemes has revealed a skills gap in the public sector in terms of data gathering, the use of performance indicators and an appreciation of soft measures in monitoring and evaluation.

The lack of trained communication support workers covers all aspects of life. SDEF is pleased to note that the number of BSL signers has increased but in general there is a dearth of skilled communication support resources.

**SQA**

SQA should ensure that accessibility is included in more courses under its remit, as access is not necessarily concerned only with the built environment. SDEF pioneered a course at Heriot Watt in Inclusive Access and Environmental Design, which we are now hoping to turn into a full masters degree. This was aimed at educating architects and planners on access issues whilst providing an opportunity for disabled people to obtain an access qualification.
VisitScotland

SDEF has been working with VisitScotland on its Disability Equality Scheme. Part of this work has focussed on the Disability Access Scheme, with a view to providing visitors with up-to-date and accurate information. This has covered a review of symbols, the auditing process and the presentation of information. VisitScotland has been encouraged to take greater responsibility for access issues relating to the attractions and accommodation that it promotes. The outcome will be to make Scotland a more accessible destination for both domestic and foreign tourists.

The importance of disability awareness and equality training for VisitScotland employees has been identified as a key issue.

Talking Books

The high cost of and lack of availability of talking books has been identified by SDEF members as an example of inequality that needs to be resolved.

Sport and Leisure

SDEF is keen to see the removal of barriers that inhibit disabled people from engaging in physical activity. It is important to recognise that adults wish to participate in sport as well as young people and elite athletes and resources should reflect this. There is a wider issue of transport to sport and leisure activities. The transport strategy tends to focus on transport to employment and health with little thought being given to transport for other activities.

SDEF has been working with SportScotland to make sporting venues more accessible and has looked at access to open space and countryside as well as the built environment.

Funding for arts and leisure should not be solely at the discretion of local authority social work departments. The Government should also recognise the part that can be played by the voluntary sector and encourage local authorities to work with voluntary organisations as real partners across all service areas.

Commercial Services

Commercial service providers should meet the strictures of the Disability Discrimination Act. Disabled people continue to experience discrimination at all levels of service delivery, however, they do not have the resources to make legal challenges to enforce their rights. They will continue to experience inequality until the Government improves access to justice or ensures that the law is complied with.
Media

The Scottish Government should listen to concerns expressed about the portrayal of disabled people in the media and could take the lead in bringing about a better understanding of disability issues in general.

Transport

SDEF has been working with Transport Scotland’s trunk roads division on its disability equality scheme. As a result Transport Scotland has carried out an access audit of the trunk roads network and will improve access for disabled people. Transport Scotland has responsibility for lay-bys, crossings, pathways, emergency telephones, signage on the trunk roads network as well as cycle paths.

SDEF is also a member of the Scottish Rail Accessibility Forum, which again is upgrading some railway stations and considers matters of access to the rail network and passenger transport. Transport Scotland has worked with access panels to look at access to both the road and rail networks. Transport Scotland is also planning a training programme for employees that will cover not only technical access but disability equality and awareness training.

SDEF is keen that the Government extend the concessionary fare scheme to cover community transport and demand response modes of travel. There are also some anomalies in the concessionary fare scheme, for example those affecting people with visual impairments that need to be addressed.

SDEF hopes that the Government will support Jackie Baillie’s Private Bill on Disabled Persons Parking as well as indicating to public authorities their responsibilities regarding marked bays.

Planning and Access Panels

SDEF has been liaising with the Planning Directorate over the provision for access and participation statements under recent planning legislation. Access panels are already heavily involved in the planning process and their expertise should be recognised and supported. Local authorities need to be encouraged to give proper support to the panels, not only for the work they continue to do to help public bodies meet the Disability Equality Duty but for the guidance and training on all matters pertaining to disability they continue to provide. SDEF is looking to COSLA for support on this.

SDEF continues to build on the network of access panels in Scotland and expand its membership. We are actively developing the capacity of panels to play a significant role, not only in terms of access to the physical environment but in terms of disability life issues and we hope that the Scottish Government
continues to support our work. Over the past few years SDEF and the panels network have developed strong and lasting links with public bodies.

SDEF and the panel network are currently working with a number of public authorities on access issues including British Waterways, Historic Scotland, Scottish Natural Heritage, SportScotland, Transport Scotland and VisitScotland.

Scottish Disability Equality Forum
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