**Network neglect leaves government ‘closer to coercion than co-production’**

The government’s reputation on disability equality has suffered a further damaging blow, after it admitted that none of the bodies it set up to engage with disabled people and their organisations as part of its disability strategy has met in nearly a year.

The Fulfilling Potential Forum, set up “to discuss how disabled people can fulfil their potential”, has not met since November 2016.

The Disability Action Alliance (DAA), launched by the government in 2012 to offer advice on the implementation of its disability policies, also appears to have been discarded, and its steering group has not met since last May.

A third body, the Fulfilling Potential Advisory Service, which was set up alongside the forum in 2014 to provide expert advice on disability-related issues, was scrapped soon after it was launched.

The government’s original intention was that the three bodies would replace Equality 2025, its high-level committee of disabled advisors, which it ditched in 2013.

A series of admissions by the Department for Work and Pensions (DWP) raise further serious question-marks over the government’s commitment to the co-production of its policies with disabled people and their user-led organisations, and to the cause of disability equality and rights.

Last month, [Disability News Service (DNS) reported](https://www.disabilitynewsservice.com/scrapped-ministers-secretly-ditch-governments-disability-strategy/) that ministers appeared to have ditched their cross-departmental disability strategy, Fulfilling Potential, and abandoned any idea of replacing it, after refusing to say what had happened to a review of the strategy announced by a minister nearly two years ago.

Fulfilling Potential was supposed to be aimed at “improving the lives of disabled people” and making the UN Convention on the Rights of Persons with Disabilities (UNCRPD) “a living reality for disabled people in Britain”.

Although it has not met since November 2016, DWP insisted this week that the Fulfilling Potential Forum had not been scrapped and no decision about its future had been made.

But nearly 18 months on, it has still not uploaded the minutes of the November 2016 meeting onto its website, with [the forum’s web page only showing minutes of meetings up to March 2016](https://www.gov.uk/government/groups/fulfilling-potential-forum#member-organisations).

DWP has told Disability News Service (DNS) that it will upload the minutes from the November 2016 meeting to the website “over the next few weeks”.

It claims the forum has now “evolved into a wider stakeholder group” that met three times during 2017.

This refers to widely-publicised meetings hosted by its Office for Disability Issues (ODI) in the lead-up to last autumn’s examination by the UN of the UK government’s progress in implementing the UN disability convention.

DWP insists that ODI is “currently considering how to develop a flexible, inclusive and timely mechanism for engaging with disability stakeholders on cross-government issues, and in particular with regard to the [UNCRPD]”.

The forum was launched four years ago, and its membership of about 40 included representatives from leading disabled people’s organisations, as well as many of the UK’s large non-user-led disability charities.

The aim was to allow its members to discuss and provide input into the government’s “strategic priorities and direction” around Fulfilling Potential.

But Tara Flood, director of [The Alliance for Inclusive Education](http://www.allfie.org.uk/), said the forum had been a “sham” and “a clever distraction by the government from all of the important things that needed talking about” and was “an absolute waste of my time and effort”.

She said the “final nail in the coffin” had been a meeting when she and other disabled people had wanted to discuss the upcoming examination of the government’s progress in implementing the UN convention “and yet the Office for Disability Issues wanted to talk about the new pound coin”.

She subsequently refused to attend any further meetings.

She said: “They don’t want to hear from disabled people who are going to challenge their thinking on anything.”

Even though there have been no meetings of the forum since November 2016, Flood said the government had still used it as an example of how it was consulting with disabled people [when questioned in Geneva last August](https://www.disabilitynewsservice.com/uk-faces-un-examination-dpos-delighted-with-exposure-of-governments-failings/) about its progress in implementing UNCRPD.

Sue Bott, deputy chief executive of [Disability Rights UK (DR UK)](https://www.disabilityrightsuk.org), was less critical of the forum than Flood but just as dismissive of the government’s attitude to engaging with disabled people.

She said she had found the forum meetings “useful and constructive” as they had been attended by representatives of different government departments, and she said she could not see “any logical reason why they should be abandoned”.

But she said DWP’s explanation that the forum had “evolved into a wider stakeholder group” was “absolute nonsense” and “scraping the barrel”.

She attended one of these three stakeholder meetings in 2017 and she said it was simply linked to the UN examination and unrelated in any way to the Fulfilling Potential Forum.

Bott said DR UK had become concerned about the government’s failure to engage with disabled people and their user-led organisations.

She said: “We are very concerned and we have discussed it internally.

“It appears to us that there is very little engagement with disabled people and our organisations taking place at all.

“The message that we are getting from government is that ‘we do not need to engage with you in a joined-up way because all of the departments have their own mechanisms for engaging with disabled people and their organisations’.

“We do not think that such mechanisms exist in reality but to prove the point we are requesting information from ODI as to what those mechanisms are for each department.”

She added: “They said in their evidence to the UN committee back in August that they were considering improving methods of engagement, and absolutely nothing has happened since.”

Bott said she had “no idea” whether the government still had a disability strategy, and added: “If they have one, I cannot see any point in being secretive about it.

“I think the reality is that the government is just not focused on disability issues and disabled people at all at the moment.”

None of six members of the Disability Action Alliance contacted by DNS had heard anything about the body since last autumn.

Even DR UK, which previously ran the secretariat but now has no role within the alliance, said it had no idea what had happened to the network.

DR UK received government funding to run the secretariat and develop a long-term strategy – after [ODI announced](http://www.disabilitynewsservice.com/ministers-withdraw-support-from-their-own-disability-network/) that it would no longer provide four part-time members of staff to run it – but that money ran out early last year, and its steering group has not met since May 2017 when the last update was added to [the DAA website’s news page](http://disabilityactionalliance.org.uk/category/news-archives/news-items/).

Tara Flood said DAA had also been “a sham” and that it would be “insulting” to call either DAA or the forum “anything close to co-production”.

She said: “It is closer to coercion than it is to co-production. We are a long way from anything close to engagement, let alone co-production. It is not even window-dressing.”

If the forum and DAA have been ditched, she said, it would at least prevent the government from “hiding behind them as examples of consulting with disabled people”.

She added: “They want to speak to non-disabled people about disabled people. Clearly by their actions they have rejected any commitment whatsoever to ‘nothing about us without us’.”

DNS has been unable to find any of DAA’s former members who know what has happened to the network, although Stephen Brookes, a former member of its steering group, suggested that the membership held some of the blame for its failure to thrive, as did DWP.

When asked why the decision was taken to stop funding DAA and what was replacing it, a DWP spokeswoman said that ODI – which is part of DWP – “remains the cross-government focal point for disability issues, facilitating work with disabled people, disabled people’s organisations and other voluntary sector organisations to influence government policy and promote disabled people’s full participation in society”.

And she said the minister for disabled people had also appointed 11 “disability sector champions” – including Brookes, who leads on rail issues – to “tackle the issues disabled people face”, and they were “using their influential status as leaders in their sectors to drive improvements to the accessibility and quality of services and facilities in their sector”.

A DWP spokeswoman said: “ODI’s role is still to support the development of policies to remove inequality between disabled and non-disabled people.

“We understand the importance of working in co-production with disabled people and continue to advocate this approach to other government departments to do the same.”

The ODI website [was updated with just three documents](https://www.gov.uk/government/latest?departments%5B%5D=office-for-disability-issues) during 2017: one press release, one news story and one UN-related policy paper.

The last time the ODI site was [updated with any disability-related statistics](https://www.gov.uk/government/statistics?departments%5B%5D=office-for-disability-issues) was September 2015.

**12 April 2018**

**Isle of Man set to scrap its ‘fitness for work’ test**

Ministers on the Isle of Man are to scrap their version of the UK government’s much-criticised “fitness for work” test, prompting calls by disabled activists for the UK government to follow their lead.

The decision, announced to members of Tynwald, the Isle of Man\* parliament, follows years of criticism of the assessment on the island, mirroring concerns raised repeatedly and publicly in the UK.

The statement by Treasury minister Alfred Cannan followed a report by Tynwald members into what is known on the island as [the personal capability assessment (PCA)](https://www.gov.im/categories/benefits-and-financial-support/social-security-benefits/useful-definitions-and-terms/personal-capability-assessment/), which is based on the UK’s work capability assessment (WCA).

In the UK, there has been nearly a decade of evidence that the WCA is unsafe, inaccurate, unfair, and lacking in empathy, while it has been [repeatedly linked with the deaths of claimants](https://www.disabilitynewsservice.com/opposition-parties-call-for-inquiry-into-ministers-wca-deaths-cover-up/).

In November 2015, public health experts from the Universities of Liverpool and Oxford [showed in a study](http://jech.bmj.com/lookup/doi/10.1136/jech-2015-206209) that, across England, the process of reassessing incapacity benefit claimants through the WCA between 2010 to 2013 was “associated with” an extra 590 suicides, 279,000 additional cases of self-reported mental health problems, and the prescribing of a further 725,000 anti-depressants.

Concerns arose on the Isle of Man after a new scheme was introduced to reassess most of the island’s 2,000 long-term claimants of incapacity benefits through a face-to-face PCA, firstly through a pilot programme in 2012-13 carried out by Atos, the outsourcing giant which was itself being heavily criticised at the time for its role in the assessment process across the UK.

The Isle of Man reassessment scheme was then taken on by another company, Dependability Ltd, which eventually had its contract terminated after it emerged that some of the assessments were not being carried out by registered healthcare professionals.

Just as in the UK, there were criticisms of the “tick box” nature of the assessment process, the failure to deal fairly with claimants with fluctuating conditions such as ME and multiple sclerosis, and the use of unqualified and unsympathetic assessors.

An independent review of the PCA, [published in December 2016](https://www.gov.im/media/1354852/final-for-issue-pca-report-29-12-16.pdf), reported “widespread” criticism, with concerns about the qualifications of assessors, and an “oversimplified” assessment which was unsuitable for those with more complex impairments.

The review added: “Many people believed that they had been treated with a lack of respect and that the system lacked compassion.”

It recommended the replacement of the PCA by a new “holistic multidisciplinary assessment” that would be “supportive” of the claimant and “based on trust and compassion underpinned by clear, open and honest communication”, with claimants “fully involved in developing a realistic return to work plan”.

A report by a committee of members of Tynwald that supported the recommendations of the independent review [was approved by the parliament last November](http://www.tynwald.org.im/business/hansard/20002020/t171121.pdf).

Cannan [has now told the parliament](http://www.tynwald.org.im/business/hansard/20002020/t180320.pdf#search) that ministers are “minded to implement” the “complete removal of the existing personal capability assessment process” and replace it with a new “holistic approach”.

Any decision to change the relevant regulations will need to be approved by members of Tynwald later this year.

A spokesman for the Scottish-based, user-led grassroots network [Black Triangle](http://blacktrianglecampaign.org/) praised the Isle of Man government for taking the decision to scrap the PCA.

He said: “We warmly congratulate them. They have done what any humane government would have done and it is now absolutely essential that the UK government follows suit.”

A Department for Work and Pensions spokeswoman declined to comment on the Isle of Man government’s decision.

But she said in a statement: “We are committed to ensuring that people with health conditions get the right support that they need, and work capability assessments ensure that everyone gets the benefits they are entitled to.

“If a claimant’s condition changes then we will consider any new evidence presented by the claimant’s GP or medical professional.

“Anyone who disagrees with the outcome of their assessment can appeal the decision.”

*\**[*The Isle of Man is not part of the UK or European Union*](https://www.gov.im/about-the-government/departments/cabinet-office/external-relations/constitution/)*, but is a crown dependency with its own parliament and government, although under the supervision of the UK government*

**12 April 2018**

**Government faces legal action over election access fund**

Three disabled politicians have begun legal action against the government over its failure to reopen a fund that supported Deaf and disabled people with the extra costs of standing for election as MPs.

Labour’s Emily Brothers, Liberal Democrat David Buxton and the Green party’s Simeon Hart say the government is breaching the Equality Act by failing to reopen the Access to Elected Office Fund (AEOF).

The trio say they have been unable to stand as candidates in a general election since the government froze the fund in 2015.

AEOF was set up in 2012 and offered grants to disabled people to pay for their additional impairment-related costs in standing for election as a councillor or MP, but it [has been lying dormant since the general election](http://www.access-to-elected-office-fund.org.uk/) in May 2015 while the government claims it is reviewing its effectiveness.

But nearly three years on, the review has not been published and there is no evidence that it has even taken place.

The trio’s legal case [is being supported by the cross-party campaign group More United](https://www.moreunited.uk/restore-the-fund).

Buxton, who was the first user of British Sign Language (BSL) to stand in a general election, in 1997 and 2001, and has since been part of the Liberal Democrat leadership programme, said: “There is a real urgency to this challenge.

“Some political parties are already selecting their candidates for their most winnable seats in preparation for the next general election, and if the fund isn’t restored, the financial risks will be too high.

“Those of us who incur additional costs due to a disability [in his case, because of the cost of paying for BSL interpreters] are effectively barred from standing, which is desperately unfair.

“I’ve been campaigning with MPs and peers from all parties for the fund to be restored since it was closed and I hope the government responds positively.”

Brothers, who contested the Sutton and Cheam seat at the 2015 election, said: “It’s absurd that the fund has been closed for longer than it was open.

“There are only five MPs in parliament with a disability and to be representative, there should be at least 123 of us.”

Hart, who stood for the Greens in Oldham West and Royton in 2015 and in the subsequent by-election later that year, said: “The fund wasn’t available to me when I stood in the by-election in 2015.

“As a Deaf candidate I had to pay for a British Sign Language interpreter to accompany me whilst campaigning, sometimes up to 15 hours a day.

“I set up a crowd-fund online but this only raised a fraction of the money I needed, so I was at a massive disadvantage.

“Having a disability can mean additional financial barriers but that should not block us from taking part in the democratic process.”

The three disabled politicians claim that the failure to carry out the review and re-open the fund is “unreasonable, in breach of legitimate expectations, constitutes unequal treatment and is contrary to the requirements of the Equality Act 2010”.

The government now has 14 days to respond to the legal letter sent by Bindmans, the legal firm representing Buxton, Hart and Brothers.

Jamie Potter, from Bindmans, said the government’s delay was “unconscionable”.

He said: “It is accepted that people with disabilities are underrepresented in parliament and face considerable additional hurdles when seeking to stand for election.

“Yet the government have allowed a general election, along with several by-elections and local elections to pass without any additional funding being available for candidates with disabilities. This must be rectified immediately.”

The initial stages of the legal challenge are being funded by More United.

Bess Mayhew, chief executive of More United, said: “At the 2017 general election, our 100,000 supporters donated money and volunteer time to help elect 34 MPs from four different parties.

“If the Access to Elected Office Fund is restored, I hope there will be many more candidates with disabilities standing for all parties, who will commit to working on a cross-party basis to advance our values in parliament.”

Deborah King, co-founder of [Disability Politics UK](http://www.disabilitypolitics.org.uk/), said: “The failure to restore the fund is an example of #institutionaldisabilitydiscrimination.

“We’d encourage people to use that hashtag when they see other examples where disabled people have been overlooked or where practices need changing.

“If you look at [article four of the United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html), the government has agreed to abolish existing laws, customs and practices which constitute disability discrimination.

“Article 29 of the convention means the government has to ensure disabled people can effectively and fully participate in politics. The fund would help disabled people to do that.”

In 2015, the Equality and Human Rights Commission (EHRC), in its submission to a UN inquiry into the rights of disabled people to participate in political and public life, called for the fund to be reopened.

An EHRC spokeswoman said this week: “Financial barriers must not prevent disabled people from standing for political office.

“The democratic process needs to be fair and open to all, and the voices of disabled people have to be heard.

“The government needs to publish its evaluation of the Access to Elected Office Fund and take action to ensure disabled people have adequate support when standing for elected office.”

The Government Equalities Office failed to comment by noon today (Thursday).

**12 April 2018**

**Government set to ignore key air travel discrimination concerns**

The government appears to be ignoring pleas to clamp down on significant areas of discrimination against disabled air passengers.

The concerns arose after the Department for Transport (DfT) issued [a progress report](https://www.gov.uk/government/consultations/a-new-aviation-strategy-for-the-uk-call-for-evidence) on its new aviation strategy.

It included suggestions that it could “make flying more accessible for disabled passengers”, including improving assistance on planes and at airports, and “doing more to raise awareness of the assistance already provided at airports”.

The document says DfT is also working with the industry to offer better on-board facilities for disabled passengers, such as “priority wheelchair storage for quick access on arrival”.

Ministers are also examining how manufacturers could improve the design of aircraft to make them more accessible, for example by removing seats to allow passengers to travel in their own wheelchairs and ensuring that all aircraft install an accessible toilet and have an on-board wheelchair that can be used by passengers.

Another option being considered is a review of airport and airline performance standards, including looking at how long they take to provide disabled passengers with assistance boarding and leaving aircraft, and how these standards could be enforced.

This follows widespread media coverage of concerns raised by disabled passengers such as the BBC’s security correspondent, Frank Gardner, who was kept waiting on a plane for nearly two hours last month when he was told staff had lost his wheelchair.

[He said on social media at the time](https://twitter.com/FrankRGardner/status/977448805091172353) that he was “utterly sick” of staff at Heathrow Airport repeatedly losing his wheelchair when he returned from foreign trips.

But other, less high-profile issues of discrimination by the airline industry have not been addressed in the progress report, and the government appears to have dismissed the need to consider them.

Last month, DNS reported how many disabled people were being [prevented from taking their assistance dogs on commercial flights](https://www.disabilitynewsservice.com/admission-by-aviation-regulator-is-latest-step-in-assistance-dogs-aircraft-battle/), because their dogs are owner-trained and have not been accredited by Assistance Dogs International (ADI) and the International Guide Dog Federation (IGDF).

Sharon Lawrence, who has been campaigning for three years to allow more assistance dogs to be allowed on flights from the UK, said the government’s suggested improvements were “very vague” and did not mention those disabled people with assistance dogs that had not been trained by organisations that are members of ADI and IGDF.

Lawrence, a member of a government working group that is looking at improving access for disabled people and their assistance dogs to all services, says she and her assistance dog Ottie are “prisoners within the UK” because of the refusal of airlines to accept dogs that are not registered by ADI and IGDF member organisations, such as Guide Dogs, Canine Partners and Dogs for Good.

She said: “I can fly from mainland Europe with my assistance dog, but I cannot do it from the UK or fly within the UK.

“The carriers just do not want us on their flights. Even dogs with a history of flying are not allowed.”

There are similar problems with Eurostar, so the only option is to cross the Channel by ferry and leave the assistance dog in the car during the journey, she said.

Lawrence said the only way to address the problem was for the government to introduce national regulations, based on the Equality Act concept of reasonable adjustments – with safety restrictions agreed with airlines – that would allow all assistance dogs on flights within the UK and those that leave the UK.

The government document has also ignored concerns of discrimination around the price of tickets for disabled passengers with personal assistants (PAs).

Last month, a disabled campaigner from Scotland, Rachael Monk, described how she was [having to pay hundreds of pounds extra](https://www.disabilitynewsservice.com/equality-watchdog-calls-for-court-action-over-bas-pa-ticket-discrimination/) to fly to Canada to visit a friend because British Airways (BA) had refused to alter the name on a ticket she had bought for one of her PAs, after the PA quit her job and pulled out of the trip.

Monk said the government document was “a positive step” but she said that “more needs to be done about the costs involved for those requiring to travel with the assistance of PAs”.

She said: “It is very expensive to have to purchase full-price tickets for PAs when there is nothing a person can do about needing them.

“We are already penalised in this way before we even buy our tickets; surely concessionary rates could be introduced for PAs to reduce the costs.

“As for the name change scenario, that is something that definitely needs to be considered for people that may find themselves in a similar situation to myself.”

Monk has now been offered a refund by BA as a “goodwill gesture” to compensate for the extra ticket she had to buy at an inflated price, but only after her case – first reported by Disability News Service – was raised by the media.

She believes BA only caved in to the pressure after it learned that she would be appearing on a high-profile BBC news show.

A DfT spokesman refused to say if the government was considering changes that would force airlines to offer discounted seats to disabled passengers with PAs; allow disabled passengers to change the names of PAs on their tickets; and make air travel easier for disabled passengers with owner-trained assistance dogs.

But he said in a statement that the Civil Aviation Authority was working with airlines on ensuring “greater transparency” on “hidden charges that occur after a booking has been completed”.

He said: “Unlike pet dogs, recognised assistance dogs are permitted to travel with their owners in the cabin of the aircraft with UK, European and most international air carriers, who will provide floor space in an adjoining seat or across the bulkhead, usually at no additional charge.

“Airlines are entitled to ask for evidence that a guide or assistance dog is trained by a recognised training organisation.”

He added: “As there is a European regulation that provides a regime regarding disabled and passengers with restricted mobility in aviation, the Equality Act 2010 does not apply to aviation.

“We feel the current situation brings an international conformity to the regime.”

He said DfT officials would be meeting with industry representatives and “accessibility groups” in the next few months for further discussions on access to air travel ahead of the final aviation strategy green paper.

A BA spokeswoman refused to say why the company only offered to make the goodwill payment after learning that Monk was due to appear on the BBC; whether it would change its policy for other users of PAs in similar situations; or whether it would consider offering discounted tickets for those with PAs.

But BA said in a statement: “Over a million customers with disabilities choose to fly with us every year and we take our responsibilities to them seriously, aiming to make travel with us easier.

“To do this we continually review the needs of our customers and seek feedback from them and disability advisory groups.

“We offer a range of tickets including refundable options and always advise all customers to choose the product that meets their individual needs.

“In this instance Ms Monk​ encountered a number of changing circumstances and as a consequence we have offered her a full refund as a gesture of goodwill so that she is not out of pocket.”

The government is set to publish its inclusive transport strategy later this year, while its aviation strategy is due early in 2019.

Baroness Sugg, the aviation minister, said: “As part of our aviation strategy, we will be working to understand more about the barriers that currently exist for passengers with reduced mobility and disabilities, and working with the industry to remove these obstacles.”

Meanwhile, DfT has announced that disabled and older passengers in England will continue to enjoy free off-peak bus travel “for the forseeable future”.

The English National Concessionary Travel Scheme has been in operation since 2007, but the legislation behind it has now been amended so it no longer needs to be reviewed every five years.

But the Local Government Association (LGA) warned that it was “becoming impossible” for councils to pay £200 million a year to subsidise the scheme and that many local authorities were “being forced into taking difficult decisions to scale back services and review subsidised bus routes”.

Cllr Martin Tett, LGA’s transport spokesman, said: “The government must fully fund the free bus pass scheme or the most isolated members of our community could find themselves with a bus pass but no bus to use it on.”

**12 April 2018**

**Redundancy threat hangs over Remploy workers as DWP funding ends**

Disabled Remploy workers who are part of a supported employment programme could be at risk of losing their jobs because the Department for Work and Pensions (DWP) is set to refuse to renew a three-year funding agreement.

The funding was awarded to Remploy in 2015 for its Interwork scheme, which was set up in 1998 and currently supports about 100 disabled people in mainstream employment.

Without that funding, many of those jobs could be at risk.

It comes only four years after the hugely controversial closure of the remaining Remploy sheltered factories by the coalition, after it stopped subsidising what was then a government-owned business.

Interwork employees are all disabled people whose employment terms and conditions reflect those of their host employer but who have a Remploy contract of employment.

The aim is for them to eventually become employees of the host company, with access to Remploy employment support.

But Disability News Service has been contacted by one Interwork employee, Sam\* - who has asked to remain anonymous – who has been told by a Remploy manager that the DWP funding agreement was “coming to an end”.

He has been told that DWP “has asked Remploy to explore the options relating to Interwork employees on a without prejudice basis with a view to securing sustainable employment for as many employees as possible, ideally with the host employer”.

The Remploy manager adds: “It is our intention to try and secure employment for all those who want it but if this is not possible and you were placed at risk of redundancy at some point in the future then we would consult with you about this and you would of course be entitled to a company redundancy payment.”

Despite this email, Remploy insisted this week that no Interwork employees were at risk of redundancy. Remploy has declined to explain this discrepancy.

Sam said he had only been told that Remploy would “try their best” to find a job for him once the agreement with DWP ended in the next few months.

He said he believed the government was playing “a very dirty game” and was trying to keep the situation a secret “just so they can avoid another scandal like what happened when they closed the factories”.

Remploy was bought from the government by [the discredited US outsourcing company Maximus](https://www.disabilitynewsservice.com/incompetence-discrimination-and-fraud-the-us-company-that-could-take-over-from-atos/) in 2015, although 20 per cent is owned by its employees.

A Remploy spokesman said: “There are around 100 Interwork employees, none of whom are at risk of redundancy, and Remploy continues to work to transfer their employment to host employers with the agreement of both the employer and the Interwork employee.”

He added: “The letter only states the individual’s rights if there were a future consultation process.”

He said that 15 of the 100 had so far transferred their employment to the host employer.

He declined to say how significant the government funding had been and whether Remploy had been hoping it would be renewed.

And he said that Remploy’s specialist job programmes continued to support thousands of disabled people each year to find and remain in work, and operated separately from the Interwork programme.

The union Unite would not say whether it was concerned about the possibility of future redundancies among Interwork employees.

But in a statement, Unite regional officer Kevin Hepworth, who looks after the union’s Remploy members, said: “We are discussing the future of Remploy Interwork employees with the company.

“There is a degree of uncertainty as the Department for Work and Pensions (DWP) has not made its position clear over renewing the three-year funding agreement to continue to provide support to Remploy’s Interwork employees.

“Unite is continuing to press the DWP for clarity on this issue.”

He added: “Should any individual Unite member have an issue about their current circumstances and possible future developments, they should get in touch with the union which will take up their case with vigour.

“Once the overall picture becomes clearer, Unite will be able to comment more fully.”

A DWP spokeswoman said: “Remploy has confirmed that none of the Interwork employees are at risk of redundancy.

“DWP continues to support Remploy as they look to transfer Interwork employees to host employers, with the agreement of both the host employer and the Interwork employee.

“DWP and Remploy drew up a commercial agreement as part of Remploy’s transition from government. Details of this agreement are commercially sensitive.”

The potential loss of the DWP funding risks reigniting the controversy over the closure of the remaining Remploy sheltered factories by the coalition government.

The final three Remploy factories were sold in December 2013, at the end of a turbulent five years which began with the Labour government closing 29 of the remaining 83 factories in 2008.

The coalition government then announced in March 2012 that it was withdrawing all subsidies from Remploy – which at the time was government-owned – and that the remaining 54 factory-based businesses would be sold or closed.

In all, 48 of the final 54 factories were closed, and just six were sold, while nearly 2,000 workers were made redundant. Seven new businesses were started in former Remploy factories.

The coalition said at the time that it was closing the factories because it wanted to support disabled people into mainstream jobs, and that the closures were necessary because a large chunk of the budget for employment support for disabled people was “going into failing factories”.

But unions and many anti-cuts activists were furious – as many campaigners had been at the Labour closures – and said that disabled workers from the factories were being “thrown on the scrap heap”, while they argued that the sheltered employment offered by Remploy was far better than a life of unemployment.

Remploy continues to run an employment services division, finding jobs for disabled and disadvantaged people in mainstream employment, and is closely involved in government employment programmes, including the new Work and Health Programme.

*\*Not his real name*

**12 April 2018**

**Government takes small step over risk of NHS care home discrimination**

The government has taken a small step towards addressing the discrimination faced by service-users with complex healthcare needs who risk being forced into institutions.

[Last month](https://www.disabilitynewsservice.com/nhs-bodies-face-legal-action-by-human-rights-watchdog-over-care-home-threat/), the Equality and Human Rights Commission (EHRC) wrote to 13 clinical commissioning groups (CCGs) as the first step in a potential judicial review of their policies on long-term NHS funding for care outside hospital, known as NHS continuing healthcare (NHS CHC).

But the Department of Health and Social Care (DHSC) now appears to have quietly altered key guidance on NHS CHC, making it harder for CCGs to continue to discriminate against disabled people receiving such funding.

Concerns about the policies of more than 40 CCGs [were first raised in January 2017](https://www.disabilitynewsservice.com/department-of-health-ignores-nhs-continuing-healthcare-human-rights-warnings/) by Fleur Perry, herself a recipient of NHS continuing healthcare.

Her research showed that many CCGs had drawn up policies suggesting they would move disabled people eligible for NHS CHC out of their homes and into institutions against their wishes, even if the cost of a homecare package was only slightly more expensive than residential care.

These concerns were subsequently taken on by EHRC, which believes that “blanket” policies that have imposed “arbitrary” caps on funding and fail to consider the specific needs of individual patients are “a serious breach” of the Human Rights Act, the CCGs’ public sector equality duty and DHSC’s own NHS CHC framework.

But Perry has now spotted that DHSC has made a minor, but significant, change to its framework document, which is [due to come into effect in October](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690426/National_Framework_for_CHC_and_FNC_-_October_2018_Revised.pdf) and is the first new version for six years.

In the new version, DHSC warns CCGs that while they can “take comparative costs and value for money into account, they must not set arbitrary limits on care at home packages based purely on the notional costs of caring for an individual in a home, if this does not represent a personalised approach or an accurate appraisal of the cost of meeting the assessed needs of the individual concerned”.

There was no mention of arbitrary limits in the 2012 edition of the guidance.

Imposing such “arbitrary limits” is “incompatible” with the principle of personal health budgets, which were “developed to enable people to live independently, work or participate in society”, says DHSC in the new version of the guidance.

Perry said the change to the framework represented progress although it fails to address all her concerns and is “not a solution”.

She said: “It’s great that arbitrary cost-caps are not supported by the new national framework.

“However, this does not prevent care at home costs being effectively capped at the cost of a local care home by some CCGs.

“It does not prevent a person being moved away from their home on the sole basis of small differences in cost. This is a step forward, but not a solution.”

An EHRC spokeswoman said: “It is encouraging to see that the Department of Health and Social Care recognise the importance of an individual’s circumstances when arranging care packages.

“We hope that CCGs take note and amend their NHS Continuing Healthcare policies accordingly.

“Removing arbitrary caps on funding for NHS CHC will go a long way to improving many disabled people’s ability to live independently.”

A DHSC spokeswoman said: “We have updated the national framework to ensure the process for accessing funding is clearer so people with the highest and most complex health and care needs get the care they deserve.”

The department believes the change makes it clear that the starting point for agreeing a NHS Continuing Healthcare care package and the setting where services are to be provided should be the individual’s preferences.

But it believes this is not a major departure from [the 2012 guidance](https://www.gov.uk/government/publications/national-framework-for-nhs-continuing-healthcare-and-nhs-funded-nursing-care), which also highlights the importance of an individual’s preferences.

**12 April 2018**

**Music fans face premium-rate phone charges to book access for live events**

More than half of disabled people who have tried to buy tickets for live music events have had to call premium-rate phone numbers to arrange access, according to a new survey.

Four-fifths of those surveyed said they had experienced problems with booking access alongside their ticket, while nearly three-quarters said such barriers had been discriminatory.

The results of the national online survey were published by the user-led music charity Attitude is Everything (AiE) as part of its [fourth State of Access Report](http://www.attitudeiseverything.org.uk/SOAR2018) on the live music industry.

Of the 53 per cent who said they had been forced to use premium rate phone lines to book access, several reported that this had cost them more than £20 in phone charges.

Although the survey results cannot be directly compared – because they were obtained through different methods – they do appear to show an improvement since a survey of AiE mystery shoppers in 2014 found 95 per cent of respondents had experienced problems when booking access and 88 per cent said they had felt discriminated against.

This year’s State of Access Report focuses on problems associated with booking tickets for live music events.

Publishing the report, the charity also launched a new taskforce, the Ticketing Without Barriers Coalition, which aims to address five key problems encountered by Deaf and disabled live music fans when booking tickets.

The pan-industry group includes more than 35 trade bodies, ticketing agencies, event promoters and venues, including UK Music, PRS for Music, Ticketmaster, Festival Republic and Live Nation.

The areas the coalition will address include: the need for a single proof-of-disability system that is uniformly recognised and accepted across the UK; all venues and events to provide quality online information about access; more choice and flexibility when booking tickets for fans with access requirements; and a more dependable system for managing access bookings.

The coalition will also target the need for “equal access”, so that disabled fans can book access for pre-sales of tickets, VIP and artist meet-up tickets, and when using entertainment gift cards; can resell accessible seats; are not charged to use access booking lines; and can easily book tickets for a personal assistant if they need one.

The report concludes that access across the live music industry “remains a mixed picture”.

It adds: “Many venues and events have moved beyond basic reasonable adjustments to improve access for customers in impressively creative and collaborative ways.

“On the other hand, there are venue and event organisers now being left behind as they continue to enact outdated and potentially discriminatory policies that impact the ability of Deaf and disabled people to access the paid-for services they provide.”

Suzanne Bull, AiE’s chief executive and the government’s disability sector champion for music, said: “Although there has been much progress in making the ticketing process accessible and inclusive, and certain venues and companies are definitely getting this right for their Deaf and disabled customers, we felt that only a comprehensive and truly unified approach would be able to drive through the real and lasting changes that we need.

“In 2018, every large-scale music event should be all-inclusive.

“Disabled customers should be able to buy a ticket online, they should be encouraged to attend shows with their friends, and not have to jump through undignified hoops when things go wrong.”

Sarah Newton, minister for disabled people, said: “Going to a gig or festival is an experience that everyone should be able to enjoy.

“It’s therefore incredibly important that disabled people have the right access when booking tickets for live music events, which is why I’m really pleased to see leading businesses from across the music industry coming together to improve accessibility.

“We know that disabled people and their households have a combined spending power of £249 billion a year, proving that being inclusive isn’t just the right thing to do, it also makes good business sense.”

AiE also announced that it will convene a new cross-sector group that will “exchange ideas and unite around common principles when it comes to accessibility”, across music, cinema, theatre, heritage and sport, and will focus on issues such as the provision of access information, providing evidence of access requirements, and implementing access bookings.

Organisations that have already pledged to join the group include Arts Council England, [Shape Arts](https://www.shapearts.org.uk), [Level Playing Field](http://www.levelplayingfield.org.uk/), UK Theatre and the Society of Ticket Agents and Retailers.

**12 April 2018**

**News provided by John Pring at** [www.disabilitynewsservice.com](http://www.disabilitynewsservice.com)