**Activists’ anger after they discover Labour frontbencher is married to DWP director**

Disabled activists have questioned Labour’s commitment to justice for the countless claimants whose deaths were linked to the Department for Work and Pensions (DWP), after it emerged that one of its senior frontbenchers is married to a DWP director-general.

Rachel Reeves, the shadow chancellor, has been a focus for anger among many activists [since she said seven years ago](https://www.disabilitynewsservice.com/anger-after-reeves-tells-benefit-claimants-labour-is-not-for-you/) that Labour did not want to be seen as “the party to represent those who are out of work” and was “not the party of people on benefits”.

Only a couple of weeks ago, Labour leader Sir Keir Starmer mirrored the 2015 comments made by Reeves [by declaring in a speech](https://www.disabilitynewsservice.com/anger-as-starmer-says-labour-is-the-party-of-working-people/) that Labour was “the party of working people” and “the party of work”.

But it has now emerged that Reeves is married to Nick Joicey, [DWP’s director-general for finance](https://www.gov.uk/government/people/nick-joicey) and [a speechwriter for Gordon Brown](https://www.linkedin.com/in/nicholas-joicey-641b2b22/details/experience/) when he was Labour’s chancellor.

There had already been growing concerns about Labour’s commitment to promising an independent inquiry into deaths linked to DWP’s failings, and to calling for a police investigation into allegations of misconduct in public office by senior DWP civil servants and ministers.

This week, Disability News Service (DNS) published [a 10,000-word investigation](https://www.disabilitynewsservice.com/the-department-for-work-and-pensions-deaths-cover-up-and-a-toxic-30-year-legacy/) that shows how DWP repeatedly ignored recommendations to improve the safety of its disability benefits assessment system, leading to countless avoidable deaths, and ensured that key evidence linking its actions with those deaths was not considered by independent reviews.

The article also shows how the cultural problems within DWP extend far beyond the assessment system, touching all aspects of its dealings with disabled people in the social security system, and how the roots of its toxic culture stretch back at least 30 years.

There is no suggestion that Joicey, who has been at DWP for less than four years, is himself implicated in any way in the deaths of claimants, although [a DWP document](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005543/dwp-serious-case-panel-minutes-2021-06-24.pdf) (PDF) discovered by [Disabled People Against Cuts (DPAC)](https://dpac.uk.net/) shows that he attended at least one meeting of the department’s serious case panel, which examines such deaths.

DPAC this week raised serious concerns about Labour’s resistance to backing calls for an inquiry and a police investigation.

There had been hopes that the current shadow work and pensions secretary, Jonathan Ashworth, was about to commit the party to holding an inquiry, [after he told DNS](https://www.disabilitynewsservice.com/shadow-minister-wants-an-inquiry-into-dwp-deaths-if-labour-win-power/) at a parliamentary meeting earlier this month that he would want to order an inquiry if he became work and pensions secretary after the next election.

But DNS has been unable to obtain any kind of confirmation from Ashworth for more than a week that the party is now looking at calls for an inquiry, with his spokesperson refusing even to acknowledge emails from DNS.

Now DPAC has questioned whether Reeves, a hugely influential figure on Labour’s frontbench, can remain “impartial” on calls for an inquiry.

And it has also questioned whether her marriage to Joicey has been a factor in the party’s refusal to call for an inquiry and a police investigation into misconduct in public office within DWP.

Linda Burnip, DPAC’s co-founder, said: “Rachel Reeves is notorious for stating that the Labour party is not a party which is willing to support pensioners or disabled people unable to work and is a party for working people.

“It is difficult to know whether the fact that Rachel Reeves is married to Nick Joicey, a DWP finance director, that makes her take such a harsh stance.

“I think disabled campaigners must also question whether this marital link has anything to do with Labour resisting calls for an independent inquiry and a police investigation into misconduct in public office by ministers and senior civil servants.

“It seems highly unlikely that Reeves can be impartial and should resign from the shadow cabinet immediately.”

Reeves had not responded to requests to comment from DNS by noon today (Thursday).

A Labour spokesperson said this morning: “We won’t be commenting on this story.”

**31 March 2022**

**SEN green paper suggests government is finally dumping Cameron’s ‘end the bias’ policy**

The government appears to have admitted that David Cameron’s 2010 pledge to “end the bias” towards including disabled children in mainstream schools was a huge mistake and now needs to be reversed.

The apparent admission comes in this week’s long-awaited special educational needs (SEN) green paper, which includes repeated promises to move towards a more inclusive education system in England.

Cameron’s pledge in his party’s [2010 general election manifesto](https://general-election-2010.co.uk/2010-general-election-manifestos/Conservative-Party-Manifesto-2010.pdf) (PDF) led to successive Conservative-led governments focusing on building new segregated special schools, and increasing the number of children attending special schools.

[In 2019](https://www.disabilitynewsservice.com/special-school-numbers-swell-10-years-after-tories-end-the-bias-election-pledge/), shortly after the government announced the SEN review that led to this week’s green paper, a National Audit Office report found the number of pupils with special educational needs and disabilities (SEND) who attended special schools or alternative provision\* had risen by more than a fifth between 2014 and 2018.

The green paper says this has continued to increase, with the proportion of pupils in specialist provision increasing by nearly a fifth (19 per cent) between 2016 and 2021.

Now the government appears to have had a major change of heart over its long-standing “end the bias” policy.

This week’s green paper includes a promise to “shift the dial” to ensure that the “vast majority” of children can receive the support they need without having to attend a special school or alternative provision.

And it says that the steadily increasing number of children and young people attending specialist settings and receiving education, health and care plans (EHCPs) has meant “more financial resource and workforce capacity is pulled to the specialist end of the system”.

It says this has meant there is less funding available to deliver support in mainstream settings.

And it adds: “Far more children and young people should be able to access the support they need in their local mainstream setting, without the need for an EHCP or specialist provision.”

The Right Support, Right Place, Right Time green paper [is now out for consultation](https://www.gov.uk/government/consultations/send-review-right-support-right-place-right-time?utm_medium=email&utm_source=govdelivery) until 1 July.

It says there are “growing pressures” across a system that is “increasingly characterised by delays in accessing support for children and young people, frustration for parents, carers, and providers alike, and increasing financial pressure for local government”.

And it says that, despite an “an unprecedented level of investment in high needs”, for many families “their experience of the SEND system is bureaucratic and adversarial, rather than collaborative”.

Among its proposals is for a simplified EHCP system; a new legal requirement for councils to introduce “local inclusion plans” that will bring together early years, schools and post-16 education with health and care services; and improved staff training.

It also promises to change “the culture and practice in mainstream education to be more inclusive and better at identifying and supporting needs, including through earlier intervention and improved targeted support”.

But the green paper also includes a promise to deliver up to 40 more new special and alternative provision free schools in addition to more than 60 already planned, as part of an investment of £2.6 billion over the next three years to provide new places in both mainstream and special schools, as well as other specialist settings, and to improve the suitability and accessibility of existing buildings.

[The Alliance for Inclusive Education (ALLFIE)](https://www.allfie.org.uk/) said yesterday (Wednesday) that the green paper was an admission that the government had “made a huge error 12 years ago”.

But Michelle Daley, ALLFIE’s director, was quick to dismiss any suggestion that the green paper signalled a progressive new SEND policy.

Instead, she said she had been “horrified” to find so many “serious issues” as she read the document.

Daley said the green paper is “steeped in social injustice and inequality”, omits any reference to inclusive education as a human right, and is “riddled with biases towards segregated education for disabled children and young people”.

She said ALLFIE was concerned about the idea that new “national standards” will set out “when needs can and should be met effectively in mainstream provision”, which she said was likely to promote disability discrimination and force some disabled children, particularly those with higher support needs, into segregated education.

She said this was incompatible with the [UN 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).

Daley said the green paper has also “erased intersectional identities”, by all but ignoring issues such as race, classism and gender bias.

She said: “ALLFIE would hope that after so much harm and trauma experienced by children and young people through failures by the state in education, this SEND green paper would have been the ideal opportunity for the government to co-produce a fully national inclusive education system with disabled people and their allies.”

She said the UN committee on the rights of persons with disabilities had called for such a system [in 2017](https://www.allfie.org.uk/news/inclusion-now/inclusion-now-48/human-catastrophe-un-critical-uk-government-approach-disabled-people/).

Instead, she said, the green paper “gives disabled people no hope for the future and continues to uphold a divided society that disadvantages disabled people”.

ALLFIE will be drawing together its own response to the green paper after consulting with disabled people around the country over the next three months.

[Disability Rights UK (DR UK)](https://www.disabilityrightsuk.org/) was also highly critical of the green paper.

It welcomed the government’s recognition that the current system was flawed and that navigating the system was “a nightmarish experience for too many families”.

But chief executive Kamran Mallick said DR UK was “very concerned” that the government only wanted to maintain EHCPs for those children with the highest needs, as non-EHCP support was “a poor relation to EHCPs, lacking the legal frameworks and protections which EHCPs offer” and “leaves parents with no form of redress where the support is inadequate”.

He was also critical of the government’s reference to “unprecedented” investment in SEND when “per capita, and appropriate to need, it is still absolutely inadequate”.

He said: “Over a quarter of a billion (£253 million) has been spent by local authorities on fighting parents in SEND tribunals since 2014.”

Mallick said that parents are successful in 95 per cent of these tribunals.

He said: “This is SEND ‘investment’ – but the money has been spent in entirely the wrong areas.

“If the government focused less on how much it is spending and more on the needs of disabled children, perhaps funds would make it into providing meaningful support and access to education, which would result in the better outcomes for disabled pupils we all wish to see.”

The Department for Education had not responded to questions on the government’s apparent “end the bias” admission by noon today (Thursday).

But education secretary Nadhim Zahawi said in a statement earlier this week: “I want to make sure everyone knows what to expect, when to expect it and where the support should come from.

“I know there are strongly held views and I want to hear from as many parents, teachers and children with experience of the system so they can help shape a future policy that works for them.”

Later this year, the government will publish a national SEND delivery plan, setting out the government’s response to the consultation and how it will implement its proposals.

*\*Alternative provision includes pupil referral units, alternative provision academies and free schools, independent schools, unregistered providers, and a small number of medical and hospital schools*

**31 March 2022**

**Regulator to probe rail industry body’s ‘discriminatory’ actions during Storm Eunice**

The rail regulator is investigating why an industry body appears to have tried to ensure all assisted travel bookings for disabled passengers were cancelled during Storm Eunice in February.

Even though many rail services continued through the storm on 18 February, many disabled people were told they would not be able to travel because the assistance they had booked had been cancelled, while others were told they could not make new bookings.

Accessible transport campaigners [Doug Paulley](https://www.disabilitynewsservice.com/regulator-probes-train-ramp-safety-failings-at-rail-operators-across-britain/) and [Sam Jennings](https://www.disabilitynewsservice.com/train-company-pays-17000-after-repeatedly-leaving-disabled-woman-stranded/) were among those who were unable to travel on Southern services because of its decision to cancel bookings and refuse to take new bookings for assisted travel.

Paulley was told on the afternoon of 18 February that he could not book assistance for a train that evening, while Jennings had her booking cancelled, even though the rail services they had been hoping to use were still running.

Southern’s decision to scrap assisted travel meant Jennings missed a hospital appointment.

Paulley’s train ended up arriving at its destination just a few minutes late.

He later [put in a series of freedom of information requests](https://www.kingqueen.org.uk/dominic-lund-conlon-rdg-tried-to-stop-all-booked-assistance-during-storm-eunice-and-lied-to-the-orr/) to rail companies after he saw the head of public affairs for Southern’s owner GTR [tell the rail regulator on Twitter](https://twitter.com/fazhakim/status/1494652329093697538?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1494652329093697538%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.kingqueen.org.uk%2Fdominic-lund-conlon-rdg-tried-to-stop-all-booked-assistance-during-storm-eunice-and-lied-to-the-orr%2F) that train operating companies – and the regulator – had agreed to cancel bookings by passengers who needed assistance to travel by train on 18 February.

Now Paulley has proved – through responses to his freedom of information requests – that there was no such agreement to cancel assisted travel by train companies.

He has also shown that the regulator, the Office of Rail and Road (ORR), did not approve the move, but merely acknowledged an email sent by the Rail Delivery Group (RDG), which represents the companies that run Britain’s railways.

That email on 17 February came from RDG’s accessibility and inclusion manager, Dominic Lund-Conlon, and information obtained by Paulley shows that he misled ORR about the actions taken by the train companies.

Lund-Conlon told ORR that “all train operators are undertaking proactive contact with customers who are booked to travel on Friday to rearrange their planned journeys” and that they “will be not accepting any new booking requests from customers for Friday”.

The emails secured by Paulley show this was not correct.

Some of the rail companies, including LNER (London North Eastern Railway), continued providing assistance and taking bookings.

LNER told Paulley – in a freedom of information response – that it “did not endorse” the email sent by Lund-Conlon to ORR.

Northern, another company that continued to honour assisted travel bookings for 18 February, told Paulley that it “did not cancel the bookings of services scheduled to run and provided alternative transportation when there was further disruption on the day” and that it “did not refuse to take new bookings”.

Network Rail told Paulley that all the stations it manages that deliver passenger assistance “continued to deliver both booked and unbooked passenger assistance during Storm Eunice” and that it “did not cancel or refuse any assistance bookings or requests and all normal processes were followed”.

Paulley has now written to the chair of the transport select committee, Conservative MP Huw Merriman, and rail minister Wendy Morton about what happened.

ORR confirmed this week that it was investigating what had happened and that it would examine the emails obtained by Paulley.

It also confirmed that it was informed on 17February that the rail industry would proactively contact all passengers who had booked assistance on journeys due to take place on 18 and 19 February, to cancel and rearrange those bookings.

An ORR spokesperson said: “ORR is aware of concerns and we have sought assurances that all requirements of ORR’s Accessible Travel Policy Guidance were followed by operators according to methods outlined in their own policies.

“To ensure lessons are learnt, we are now working closely with the rail industry to better understand the decisions that were taken, including how information was communicated to passengers during Storm Eunice.”

Paulley said: “To me, and to many accessibility professionals in the industry, it is ridiculous, offensive and nonsensical to cancel assistance bookings for trains that are still running.

“Standard practice during disruption is to contact customers to rearrange if their train is cancelled, or to re-plan on the fly if cancellations occur at short notice.

“That’s what LNER, Southeastern, Northern did.

“In addition, in the context of a red weather warning, it seems sensible to warn customers in advance (as LNER and Southeastern did) that there may be disruption and to offer to re-book.

“But to unilaterally decide to cancel and refuse all assistance bookings is disgraceful.”

Jennings said: “Blanket cancellation of all pre-booked assistance when trains were still running was obviously discriminatory from the second they decided it.

“The RDG appear to delight in adding extra barriers to travel for disabled people from the next-to-pointless passenger assistance app to the Storm Eunice fiasco.

“Doug’s freedom of information requests were very good indeed and I’d like to say I am shocked by what they uncovered, but after dealing with this constant discrimination and the ongoing contempt I’ve been treated with since becoming a wheelchair-user in 2018, sadly I’m not surprised at all.”

She said the rail industry appeared to think it was “above the law”, but she did not know whether that was due to incompetence, indifference or something else.

Jennings said she had experienced well over 50 “access fails” when using rail services since she started using a wheelchair in 2018.

RDG has so far been unable to explain why Lund-Conlon told ORR that all train operators were contacting customers to cancel their assisted travel bookings for 18 February, and would be accepting no new bookings for that day.

But an RDG spokesperson said: “We don’t comment on individual members of staff, however it is a factual inaccuracy based on partial and incomplete information to allege that the Rail Delivery Group acted unilaterally in making decisions around Passenger Assist during Storm Eunice.

“The priority of train companies was to keep all passengers and staff safe in what were the strongest storms in over 10 years.

“Difficult decisions around how the railway needed to operate in order to assure that safety was paramount were made by individual train companies, who issued a Do Not Travel notice due to the severity of the situation.

“RDG’s role was to represent those decisions to relevant stakeholders, including the ORR, and support the industry in communicating them to customers so that they could make alternative plans where necessary.”

A GTR spokesperson said the company would be reviewing how it responded to Storm Eunice.

He said: “We strive to provide quality assistance to remove the barriers to independent travel.

“On 17 February we gave the same advice ‘not to travel’ to all passengers, because of a rare Met Office red alert warning.

“We did not refuse to provide assistance to anyone who chose to travel against the advice but we were unable to commit to give booked assistance – we could not guarantee what trains would be running and if customers would be able to safely complete their journeys there and back.

“We contacted everyone who had booked with us to explain and offer to rebook on a different day.

“We continued to provide un-booked assistance as best we could.

“We will ensure that all customer feedback is included in the reviews we complete.

“The forecast and predictions proved correct. On Friday, Saturday and Sunday, we dealt with around 270 incidents across the GTR network with over 50 trees felled and widespread damaged infrastructure.

“The storms forecast to strike the network posed a significant threat. Aside from a blanket safety speed limit which forced us to reduce the service by around a third, we knew still more trains would be cancelled and routes closed with no notice.

“On the Friday, a further 45 per cent of our trains failed to run in addition to those already pre-cancelled and in some cases, people had to be evacuated from stranded trains.”

He said earlier: “You asked why we provided ‘inaccurate information on Twitter’.

“This was a tweet from a personal account of a colleague that did not represent the views of GTR.

“It was a response sent to the ORR so they could check in with colleagues as a tweet they had posted indicated they were not aware of conversations that had taken place.”

Paulley said that the advice not to travel was just that: advice.

He said: “This supposed decision [to cancel all bookings for assistance], had it been actually carried out, would not only have been a breach of the operators’ licenses, it would have resulted in bookings being cancelled across the whole country, even in areas such as the north-east or Scotland that were not anywhere near as badly affected as the south-east.

“[RDG] say that these were ‘the strongest storms in over 10 years’. Possibly, in some areas; but I’ve been using assisted travel for at least 22 years, so in previous stronger storms, and this is the first time that the rail industry has unilaterally cancelled assistance bookings en masse.

“Why was it supposedly proportionate, reasonable or necessary now, when it wasn’t done previously?”

He added: “The RDG are an unaccountable, non-public body, not regulated by anybody in the industry, and this latest massive faux pas is yet another example amongst many in which they overstep their boundaries, assume powers they don’t have and once again fail disabled people.

“I hope that the ORR conducts a thorough, no-holds-barred and public investigation into how this situation happened, and publishes its results for all to see.

“This whole thing stinks and is such a massive mess.”

**31 March 2022**

**Government finally agrees to continue some free Covid testing for PAs**

The government has finally issued guidance that should allow disabled people in England who employ personal assistants (PAs) to continue to secure free COVID-19 tests for their staff, at least in some situations.

The confirmation that some free testing for employers of PAs will continue was made yesterday (Wednesday), less than two days before tomorrow’s ending of universal free testing (1 April).

[A statement to MPs](https://questions-statements.parliament.uk/written-statements/detail/2022-03-29/hcws740) by health and social care secretary Sajid Javid on Tuesday had suggested that at least some disabled people would probably have to start paying for tests for their PAs.

He said: “For [adult social care] services and hospices, DHSC will also continue to fund some regular asymptomatic testing for staff in periods of high prevalence.”

He made no mention of disabled people who employ their own PAs.

But yesterday, a Department of Health and Social Care (DHSC) spokesperson confirmed to Disability News Service (DNS) that this continued funding for free testing of those without symptoms did include PAs employed by disabled people.

The spokesperson said: “Thanks to the success of our vaccines programme, we can transition towards managing Covid like other respiratory illnesses and, as set out in the Living with Covid Plan in February, from 1 April free testing will be focused on groups who are most at risk from the virus.

“Those previously identified as clinically extremely vulnerable are now well protected after receiving their primary and booster vaccination doses and are no longer at substantially greater risk than the general population.

“Personal assistants will continue to be eligible for free symptomatic LFD\* testing, as well as free twice weekly asymptomatic testing.”

But information [published yesterday](https://www.gov.uk/government/news/changes-to-covid-19-testing-in-england-from-1-april) by the UK Health Security Agency (UKHSA) stressed that free testing for adult social care staff (including PAs) without COVID-19 symptoms would only continue to be provided from 1 April “during periods of high prevalence” of the virus.

DHSC had not been able to clarify what it meant by “high prevalence” by noon today, suggesting shortly before the deadline that DNS should contact UKHSA, but it did confirm that the current state of COVID infections is seen as “high prevalence”.

The provision of free, twice-weekly asymptomatic testing for PAs appears to have been a recent addition to the government’s plans.

Earlier this month, a DHSC spokesperson told DNS: “After 1st April 2022, limited symptomatic testing will still be made available for a small number of at-risk groups – the government will set out further details on which groups will be eligible.”

UKHSA has said that [updated guidance](https://www.gov.uk/government/publications/coronavirus-covid-19-testing-for-adult-social-care-settings) will be published “shortly” on how PAs can continue to access free tests.

Disabled artist-activist [Jess Thom](https://twitter.com/touretteshero), who employs a team of eight PAs to provide her with 24-hour support, said the government’s announcements had been last-minute and “very chaotic”.

She said the announcement on free asymptomatic testing appeared to be “encouraging” but the way the government had approached COVID-19 policy in recent weeks, in which everything was “treated in isolation”, was “not surprising but dangerous”.

She said she had spent an “immense” amount of “time and energy” in the last couple of months trying to clarify whether she was still entitled to free testing and personal and protective equipment (PPE) for her PAs.

Another disabled campaigner, Fleur Perry, [who is raising funds for a legal action](https://www.crowdjustice.com/case/ending-isolation-risk-to-dp/) against the government over its decision to end the legal requirement to self-isolate after a positive COVID-19 test,said: “We don’t have information on how to access these free lateral flows for our PAs, or what documentation our PAs might need in order to qualify.

“Giving us zero notice to perform crip admin tasks is placing unrealistic expectations on disabled employers, which may have a knock-on impact if people have been unable to order tests in advance due to the website not taking orders.”

*\*Lateral flow device*

**31 March 2022**

**Grenfell: Government ‘probably forgot’ to ask disabled people for views on evacuation**

A senior civil servant has told the Grenfell inquiry that the government probably “forgot” to seek disabled people’s views on how residents with physical impairments could evacuate tower blocks in an emergency, six years before the devastating fire.

Brian Martin, who is still a senior official in the Department for Levelling Up, Housing and Communities\*, also told the [Grenfell Tower Inquiry](https://www.grenfelltowerinquiry.org.uk/) this week that the government view in 2011 was that it would be “too expensive” and “disproportionate” to have a policy that would enable disabled residents to evacuate from tower blocks.

He agreed that this meant that the government accepted that some disabled people would have to die in their flats while other residents were able to self-evacuate.

Martin said that this “was what was considered at the time to be the prevailing… the reasonable approach to the problem”.

He accepted that the view at the time was that disabled people would self-evacuate if possible, or firefighters would rescue them, or they would die in their flat.

He [told the inquiry on Monday](https://assets.grenfelltowerinquiry.org.uk/documents/transcript/Transcript%2028%20March%202022.pdf) (PDF): “You could have a policy, but what would you do with it?

“I mean… you can only expect of the responsible person [in charge of the building] something that is reasonable, and if you want to get to the point where a person who is unable to self-evacuate to be rescued in every event, then every block of flats would need a permanent staff of fire rescue people, which is unreasonable and impracticable.”

Martin was being questioned about the process of producing [a fire safety guide](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1020410/Fire_Safety_in_Purpose_Built_Blocks_of_Flats_Guide.pdf)\*\* for the Local Government Association\*\*\*.

Martin, who was a member of the guide’s project group, told the inquiry that he made no attempt to ensure that the authors of the guide obtained the views of organisations representing disabled people about how to evacuate disabled residents in an emergency.

When the guidance was published in 2011, it stated that it was “usually unrealistic” to expect landlords to put arrangements in place for disabled people to evacuate mainstream blocks of flats in an emergency.

Six years later, with the guidance still in place, 72 people lost their lives in the Grenfell Tower fire, including two-fifths of its disabled residents.

Martin, who was principal construction professional in the department between 2008 and 2017, when he was promoted to head of technical policy, was responsible in 2011 for providing policy advice to ministers on technical aspects of the building regulations relating to fire safety.

On Tuesday, [continuing his evidence](https://assets.grenfelltowerinquiry.org.uk/documents/transcript/Transcript%2029%20March%202022.pdf) (PDF), he said it was “probably an oversight” that the government failed to seek the views of organisations representing disabled people.

When he was asked if that meant the government forgot, he said: “Well, I’m guessing so.”

He said he had had “nothing to do with it”, but Richard Millett QC, lead counsel to the inquiry, said: “Well, you didn’t have nothing to do with it, Mr Martin, as we know, we’ve seen some documents.”

Martin replied: “OK.”

On the same day that Martin was giving evidence to the inquiry, the disabled Liberal Democrat peer Baroness [Sal] Brinton [was continuing efforts](https://hansard.parliament.uk/lords/2022-03-29/debates/B22FF3EC-77B6-4C0A-AFAB-E492C0A86634/BuildingSafetyBill#contribution-4DBDDC51-8420-41FD-A5B1-F254BF9BF4C9) in the House of Lords to persuade the government to address the issue of disabled people’s evacuation in its building safety bill.

She said that she and the disabled crossbencher Baroness [Tanni] Grey-Thompson had made it clear that “the responsibility for getting safely out of a building should not be on the shoulders of a disabled resident alone”.

She proposed three amendments that would make it clear that all landlords of high-rise buildings had duties under the Equality Act to prepare personal emergency evacuation plans (PEEPs) for disabled residents.

She said: “Over 40 per cent of disabled residents died in the fire, a far higher percentage than any other category of resident.

“There were no PEEPs. Not only was there no guidance but… any arrangements for disabled people were actively discouraged by the government adviser and government officials.”

She added: “The first phase of the [Grenfell] inquiry recommended the provision of PEEPs for residents of high-rise blocks, but that is not what we are seeing now.

“Instead, the government are still consulting.

“Not mandating responsibility for the safety of disabled people to the accountable or responsible officers for the building will continue to put disabled people in high-rise blocks at risk.

“If the government will not support disabled people living in high-rise buildings by ensuring that those responsible for the building must have plans to help them leave, the only alternative is for the government to provide housing for them that is safe.”

She told fellow peers that ministers had agreed in the last hour to a meeting, but she promised to bring back her amendments at the final stage of the bill if progress was not made at that meeting.

She added: “This is truly a matter of life and death.”

*\*This is the department’s current name. It has changed several times in the last 20 years*

\*\**Disabled campaigners*[*launched legal action last month*](https://www.disabilitynewsservice.com/legal-action-seeks-justice-over-award-of-fire-safety-contract/)*over the government’s decision to award a crucial fire safety contract to the consultancy that drafted and edited the guide*

*\*\*\*At the time, LGA was known as the Local Government Group*

**31 March 2022**

**Not one recommendation achieved, two years after CQC restraint and seclusion review**

Not a single one of the 17 recommendations made two years ago by a government-commissioned review into the use of restraint, seclusion and segregation of disabled people has been carried out, the care regulator has concluded.

The Care Quality Commission (CQC) said that 13 of the recommendations it made in October 2020 had not been achieved, while the other four had only “partly been achieved”, following the report into serious concerns about the treatment of autistic people, people with learning difficulties, and people with mental distress.

[This week’s report](https://www.cqc.org.uk/publications/themes-care/restraint-segregation-seclusion-review-progress-report-march-2022) says that little progress has been made since CQC’s interim Out of Sight – Who Cares? report was published in 2019, and that “far too many people are still subject to restraint and seclusion and more people than before are in long-term segregation”.

There are more people in long-term segregation now than there were in November 2018 when the government commissioned the report, it says.

And while data from December 2021 shows the number of people with learning difficulties in inpatient services has nearly halved since March 2015, the number of autistic people in such services has risen by three-fifths.

There has also been an increase in the number of autistic people and people with learning difficulties in hospitals more than 50 kilometres from their local community.

And more than 350 autistic people or people with learning difficulties in a mental health hospital (one sixth of the total) have been in hospital for more than 10 years.

CQC says that its 2020 report called for the development of resources to ensure that people could be supported in the community and so avoid hospital admission.

But it says: “Far from an improvement, we have seen that people have found accessing community mental health support more difficult.

“This is partly due to the impact of COVID-19. The pandemic has led to a mental health crisis in a system that was already overloaded.”

Because the government has failed to implement proposals for care and treatment reviews to become statutory, there is no accountability that ensures service-providers and commissioners carry out review recommendations.

As a result, the recommendations are often not carried out, says the report.

Reviews that were carried out uncovered restrictions on access to personal possessions, fresh air, activities, telephones, and visitors “for which there was no justifiable reason or clear rationale”, CQC said.

Steps taken to “manage people’s risks did not consider the impact on their dignity and were frequently unnecessarily harsh or overly restrictive”, while CQC also found that people’s physical health needs were not being considered or met, such as staff denying them access to dentists or opticians.

The CQC report warns that people’s human rights “continue to be at risk” and services continue to fail to provide them with reasonable adjustments under the Equality Act.

The report concludes: “We know that there are still too many people in hospital unnecessarily, that too many people are subject to restrictive interventions, and that not enough people are able to access the support they need in the community. This must change.”

Debbie Ivanova, CQC’s deputy chief inspector for people with a learning disability and autistic people, said: “The pandemic has clearly had an impact on services and the people that use them in a way that could not have been foreseen.

“However, progress on the recommendations we made for change have not been happening quickly enough.

“We are calling on all partners to commit to a renewed effort to move forward, sharing responsibility for implementing the changes needed.

“The focus must be on meeting people’s individual needs.

“Improved collaboration at system level, provider level and at an individual level with people and their families is also required to deliver the necessary improvements.

“Services must fit around people rather than trying to fit people into services that can’t meet their needs.”

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**Research raises questions over use of ‘wheelchair standard’ in public transport**

The current “wheelchair standard” used to ensure that vehicle and infrastructure designs across the transport sector are spacious enough only covers about half of all mobility aids used by disabled people in the UK, according to a government study.

[The new research](https://www.gov.uk/government/publications/reference-wheelchair-standard-and-transport-design), commissioned by the Department for Transport (DfT), says the government may need to consider updating the reference wheelchair standard to allow a greater proportion of disabled people to use rail, bus, taxi and private hire vehicles and transport infrastructure.

It says that its “key finding” is that “the current reference wheelchair specification” covers only 54 per cent of all mobility aid users.

The research was published this week as part of the government’s ongoing review of the standard, which is due to report next year.

This week’s report says that mobility aids are becoming bigger and heavier as disabled people expect them to have “increased functionality and range”, and this trend is expected to continue over the next 10 years.

This is causing problems with on-vehicle spaces and toilets that are too small, and with insufficient height clearance in taxis and private hire vehicles.

But the report warns that there are “trade-offs” between making transport more accessible to those with larger mobility aids and “the practicalities for transport operators to accommodate larger and more diverse mobility aids within the physical space limits of conventionally sized public transport vehicles”.

Wendy Morton, the accessible transport minister, [told MPs](https://www.gov.uk/government/speeches/accessible-transport-reference-wheelchair-report) this week that the research findings would be used “to help form the broader evidence base to determine the design of future vehicles and transport infrastructure to meet mobility aid users’ needs”.

The publication of the evidence came as the government announced new funding of £1.5 million to support another sixdriving and mobility assessment centres across England to roll out the new HUB transport advice and signposting service, which [the Driving Mobility](https://www.drivingmobility.org.uk/about-us/) charity has already been piloting at seven of its centres.

HUBs aim to help disabled people for whom driving a car is not possible, offering advice on alternatives such as community transport, mobility scooters, and accessible bus, coach, rail and plane travel.

But the announcement was overshadowed when DfT also tried to claim that £1 million to improve access at seaports serving the Isle of Wight and the Isles of Scilly was new funding.

Disability News Service had to question DfT twice before it finally admitted that the seaport funding had been announced in [last year’s much-criticised National Disability Strategy](https://www.disabilitynewsservice.com/government-must-tear-up-national-disability-strategy-after-high-court-defeat/).

DfT also announced this week that it had completed the 1,000th audit of accessibility at British rail stations.

The government has committed to auditing all 2,565 rail stations in England, Scotland and Wales.

Meanwhile, DfT has published three other pieces of research on accessible transport.

One report [reviewed five projects](https://www.gov.uk/government/publications/technology-research-and-innovation-grants-accessibility-trig-a-2021-programme-outcomes) that received a total of £600,000 funding from the accessible transport element of the 2020 Technology Research and Innovation Grants programme.

The projects included an improved system for communication between disabled passengers and ground handling agents at airports, and a system to improve the “whole journey” experience for disabled passengers using multiple forms of transport.

[A second report](https://www.gov.uk/government/publications/inclusive-transport-strategy-scorecard) detailed the latest results of the government’s Inclusive Transport Strategy “scorecard”.

The figures, to be updated annually until 2024, show that the percentage of taxis that were wheelchair-accessible decreased from 57 per cent to 54 per cent between 2019-20 and 2020-21, while the percentage of private hire vehicles that were wheelchair-accessible remained at just two per cent.

The number of blue badges held by people with invisible impairments increased from 22,463 to 39,702.

[The final report](https://www.gov.uk/government/publications/wheelchair-accessible-travel-taxi-and-private-hire-services) focused on research into the use of wheelchair-accessible taxis and private hire vehicles.

Disabled people who took part in the study “expressed a strong preference” for travelling by this rather than any other form of transport.

They said that planning and booking wheelchair-accessible taxis and private hire vehicles was an essential part of their life, and that the limited availability of these services impacted on their ability to travel spontaneously.

They also emphasised the importance of drivers being trained to provide appropriate assistance.

Meanwhile, the British Standards Institution (BSI) [has launched a consultation](https://standardsdevelopment.bsigroup.com/projects/2021-01846#/section) on a draft standard for accessible charging of electric vehicles, which is open until 4 May.

BSI said the standard would be the first of its kind internationally, and “intends to set out the requirements for the provision of accessible public charging for all plug-in vehicles to all potential users and pedestrians, to create an inclusive charging environment”.

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**Other disability-related stories covered by mainstream media this week**

The first inquiry of its kind held in England is investigating the deaths of 1,500 people who died while being cared for as patients of NHS mental health services in Essex. They died in circumstances that were “unexpected, unexplained or self-inflicted” between 2000 and 2020 and while they were receiving treatment from NHS mental health trusts that for years had faced persistent complaints of providing poor care: <https://www.theguardian.com/society/2022/mar/28/inquiry-investigates-deaths-of-1500-nhs-mental-health-patients-in-essex>

MPs have rejected calls from peers to rethink a Tory care cap which could hit poorer people with “catastrophic costs”: <https://www.mirror.co.uk/news/politics/tory-mps-vote-through-care-26597889>

Thousands of disabled pupils could have their school transport taken away because of the spiralling cost of fuel, council chiefs are warning:

[https://www.independent.co.uk/news/uk/home-news/free-school-transport-fuel-cost-special-needs-b2042597.html](https://www.independent.co.uk/news/uk/home-news/free-school-transport-fuel-cost-special-needs-b2042597.html%20)

An autistic man has received a £200,000 high court settlement after being unlawfully detained in a care home for more than seven years. The 24-year-old was removed from his family home and placed in accommodation by Lancashire County Council in 2010. Lawyers argued that being in a care home on the Fylde, 45 minutes from his home, left him “imprisoned”: <https://www.bbc.co.uk/news/uk-england-lancashire-60863288>

A pair of autistic twins have been offered £80,000 in compensation, after they were repeatedly restrained at a special school. Samuel and Jacob Montague were put in restraint chairs at the special school in Maidstone, Kent. Kent County Council admitted the school failed to follow its own policies and broke government guidelines: <https://www.bbc.co.uk/news/uk-england-kent-60877569>

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