

Report of the

disability working group



one
scotland
SCOTTISH EXECUTIVE

Report of the **disability working group**

Sally Witcher
with contributions from
Disability Working Group Members
July 2006

© Crown copyright 2006

ISBN: 0-7559-5141-7

Scottish Executive
St Andrew's House
Edinburgh
EH1 3DG

Produced for the Scottish Executive by Astron B47554 10/06

Published by the Scottish Executive, October, 2006

Further copies are available from
Blackwell's Bookshop
53 South Bridge
Edinburgh
EH1 1YS

The text pages of this document are printed on recycled paper and are 100% recyclable

Contents

	Page
Executive Summary	1
Glossary	5
1. Introduction	8
1.1 Disabled people in Scotland	8
1.2 Purpose and structure of this report	10
1.3 The Disability Working Group	11
2. The Big Picture	13
2.1 Targeting recommendations	13
2.2 Changing institutions, processes and outcomes	14
The Disability Equality Duty (DED)	14
The Commission for Equality and Human Rights (CEHR)	15
Mechanisms for engaging and involving disabled people	15
2.3 Key changes to policy direction	16
Independent living	16
Welfare to work	17
2.4 Setting a new agenda	18
Equal Opportunities Committee Disability Inquiry	18
DRC's 'Disability Debate'	19
3. Overarching themes	20
3.1 Attitudes and actions	22
(a) Raising awareness campaigns	22
(b) Disability equality training	24
(c) Recognising diversity	27
3.2 Institutions and their operations	29
Scottish Executive principles	29
Implementing the Disability Equality Duty	30

contents

3.3	Disabled people's lives	34
	(a) Independent living	34
	(b) Accessible and inclusive communication	36
	(c) Promoting full citizenship	40
4.	Subject areas	43
4.1	Education	44
	(a) Standards	44
	(b) Transition points	45
	(c) Employment in education	46
4.2	Employment	48
	(a) Raising awareness	48
	(b) Standards	49
	(c) Information services	51
4.3	Community Care	53
	Choice and control	53
	Research	54
4.4	Health	55
	(a) Disentangling disability from ill-health	55
	(b) Disability and healthy working lives	56
	(c) Access to health services	56
4.5	Poverty	57
5.	What happens next?	59
Annexes:		
1.	Summary of recommendations	61
2.	Membership of the Disability Working Group	67

Disclaimer

The examples used in this report are there just to illustrate or help explain general points. They have not been formally endorsed as examples of good practice.

Executive Summary

1. Disabled people make up a fifth of Scotland's population yet, despite progress in some areas, they continue to experience high levels of inequality compared to non-disabled people – to the detriment of all. To find out what needs to be done to address this, in 2004 the Scottish Executive's Equality Unit established a Disability Working Group (DWG). This report presents the DWG's recommendations – not just for the Scottish Executive (SE) but for local authorities, employers, educators, community care providers and others.

2. The DWG's recommendations are directly relevant to many wider initiatives. Perhaps the most important is the introduction of the Disability Equality Duty (DED) in December 2006. The forthcoming Commission for Equality and Human Rights, the Social Work Review, changes to direct payment policy, the recent publication of the 'Employability Framework', and new policy from Westminster on welfare to work are other key developments. The outcome of the Equal Opportunities Committee's disability inquiry 'Removing Barriers and Creating Opportunities', focusing on access to work, further and higher education and leisure and the arts, will also raise the profile of disability and strengthen the call for action.

3. Overarching themes have an impact across the board:

3.1 Attitudes and actions: The SE should launch a ***campaign to challenge negative attitudes*** towards disability. This might be accompanied by targeted campaigns, e.g. to encourage positive attitudes to disabled people in employment. Demand for ***disability equality training*** (DET) is likely to increase with the introduction of the DED. Disabled people need to assess recent research on DET to identify gaps and issues for further research. They should lead the development of standards and accreditation, and be encouraged to become trainers. The SE should encourage the take up of DET. It should be part of initial education/training and ongoing professional development, and be included by accrediting bodies for the professions. The ***diversity of disabled people*** needs to be recognised, in terms of gender, ethnicity, age, etc. as well as impairment type. This means legislation, organisations or initiatives affecting anyone or for any group (e.g. the SE's strategic group on ethnic minorities in the labour market) is relevant to disabled people.

Executive Summary

3.2 Institutions and their operations: Given its wider leadership role the SE should clearly state its commitment to equal opportunities for disabled people. To promote consistency and ‘joined-up policymaking’, in partnership with disabled people it should agree and publish **a set of principles** based on the social model of disability to underpin the work of all departments. For the **Disability Equality Duty (DED)** to end institutional discrimination, a range of action is required. Research should map disability organisations and their capacity for involvement. Action then needs to be taken to address gaps and build capacity. All staff should take responsibility for their organisation’s Disability Equality Scheme, with leadership from senior management. DRC guidance on involvement should be supplemented by broader SE guidance on consultation and engagement. The SE should promote joint local or regional approaches to involving disabled people. A framework of standards needs to be considered by the DRC, SE and audit and inspection bodies. Knowledge and implementation of the DED should be a key competence for public sector staff.

3.3 Disabled people’s lives: Without **independent living** – choice and control over how, when and by whom assistance needs are met – full citizenship is but a distant dream. The SE should consult disabled people on how it can be supported nationwide. Access to independent advocacy is critically important and should be supported by the SE. Failure to meet **communication support needs** can have a devastating impact on life chances. The SE should develop guidance on inclusive communication and consultation, a website on good practice and signpost sources of expertise. It should implement and promote the Scottish Accessible Information Forum’s standards. The SE should also research disabled people’s information and advice needs. Public information work should be fully accessible and copyright exemption extended to all with a print disability. To **promote full citizenship** for disabled people school materials on the subject should be reviewed and promoted. Young disabled people experiencing discrimination should have access to advice and guidance. Disabled people’s participation in public life should be promoted and resourced and targets for public appointments reviewed.

4. Subject areas: these should be seen in the context of the overarching themes and are themselves often interconnected.

4.1 Education: HMIE should work with young disabled people and disability organisations to develop indicators of good practice. FE and HE student consultation panels should be fully inclusive of disabled students and inspection bodies should monitor their progress. Necessary support and equipment should be available throughout transition points in the education system. Disabled students should be promoted to employers as good employees. Disabled people should be encouraged to take up careers in the education sector – and education employers encouraged to retain newly disabled staff.

4.2 Employment: Positive messages about disabled people need to be conveyed to *all* employers, not just those covered by the Disability Equality Duty. The Enterprise Networks should consider establishing a business award for good practice on disability. Disabled people and employers need advice and support and the SE should investigate the effectiveness of regional resources. Jobcentre Plus could do more to promote the Access to Work Scheme and, with disabled people's involvement, strengthen its provision of financial assessments and employment information.

4.3 Community care: To maximise disabled people's choice and control, and ensure effective delivery of the Disability Equality Duty, disabled people should be proactively engaged at a strategic level in the design and implementation of services. Wherever possible they should be full partners in decision-making on their own care management, with advocacy support if required. Research on care and support services should be reviewed and further research commissioned to fill any gaps identified.

4.4 Health: Disability should not be confused or conflated with ill-health. However, the SE should consider extending free prescriptions to all people with a chronic illness. Like anyone else, disabled people benefit from healthy work environments. The Scottish Centre for Health Working Lives should consider its role in relation to disability. Also, like anyone else, disabled people need access to the full range of health-care services. The 'Fair for All' campaign should continue to take access, including communication support needs, into account.

Executive Summary

4.5 Poverty: Disabled people are at particular risk of poverty because social barriers restrict their access to earned income and they can also incur extra costs. Although the SE cannot legislate on social security, in the wake of escalating fuel costs it should consider how the fuel poverty schemes could be extended to cover disabled people, including families with disabled children.

5. The recommendation in this report (see annex 1 for full text) provide both an agenda for immediate action and a platform to build on. Progress should be reviewed and reported on after two years. There is no doubt more that can and will be added over time as barriers are removed and the voices of more disabled people are heard.

Glossary

Access to work: A scheme offered by Jobcentre Plus which can provide a support worker, travel to work costs, equipment and adaptations

AAC: Augmentative and alternative communication aids

Best value: A framework introduced in the Local Government (Scotland) Act 2003, requiring regard to be paid to economy, efficiency, effectiveness, equal opportunities requirements and the contribution to the achievement of sustainable development

BSL: British Sign Language

CEHR: Commission for Equality and Human Rights (see <http://www.cehr.org.uk/>)

Condition Management Programme: One of a range of support options available through Incapacity Benefit 'Pathways to Work'. The programme is for people who need help to manage their health condition in a work environment.

COSLA: Convention of Scottish Local Authorities (see <http://www.cosla.gov.uk/>)

DDA: The Disability Discrimination Act 1995 (amended in 2005)

DED: The Disability Equality Duty

Disability Equality Scheme: Authorities covered by the Specific Duties of the Disability Equality Duty are required to produce a Disability Equality Scheme, with the involvement of disabled people, setting out action to be taken to promote equality of opportunity for disabled people.

DET: Disability equality training

DRC: Disability Rights Commission (see <http://www.drc.org.uk>)

Glossary

ETLLD: The Enterprise, Transport and Lifelong Learning Department of the Scottish Executive

Fair for All: A strategic partnership initiative developed by the Scottish Executive Health Department and the Disability Rights Commission (see <http://www.drc.org.uk/fair4all/>)

FE/HE: Further Education/Higher Education

HMIE: HM Inspectorate of Education (see <http://www.hmie.gov.uk/>)

Independent Living Funds: Funds provided for personal assistance to allow a person to remain living independently at own home (see <http://www.ilf.org.uk>)

Jobcentre Plus: Work-focused rehabilitation programmes forming part of the Department for Work and Pensions which combines delivery of working-age benefits with employment services (see <http://www.jobcentreplus.gov.uk/JCP/index.html>)

MACS: Mobility and Access Committee for Scotland <http://www.macs-mobility.org>

Participatory action research: research undertaken by the target group/participants *with* researchers rather than ‘done to’ them by researchers

Print disability: People with a print disability are those who cannot obtain access to information in a print format because they:

- are blind or vision impaired
- have physical disabilities which limit their ability to hold or manipulate information in a printed form
- have perceptual or other disabilities which limit their ability to follow a line of print or which affect their concentration
- cannot comprehend information in a print format due to insufficient literacy or language skills

Return to Work Credit: A financial incentive available through Incapacity Benefit 'Pathways to Work', payable at £40 a week for up to 52 weeks for those working 16 hours or more and earning less than £15,000 a year, to help ensure a firm transition back to employment

RIBA: Royal Institute of British Architects (see <http://www.riba.org/go/RIBA/Home>)

SAIF: Scottish Accessible Information Forum (see <http://www.saifscotland.org.uk/>)

Scottish Centre for Healthy Working Lives: Working to improve the health of working age people in Scotland by ensuring healthier and safer workplaces, promoting healthier lifestyles and developing employability
(see <http://www.healthscotland.com/hwl/>)

SE: Scottish Executive (see <http://www.scotland.gov.uk>)

SUSE: Scottish Union of Supported Employment (see <http://www.suse.org.uk/>)

SLT: Speech and Language Therapist

1

introduction

1.1 Disabled people in Scotland

According to latest estimates there are approximately one million disabled people in Scotland. That means 20% of the population, or one in five people.

Disabled people are an often hidden part of every community. They may be your neighbours or your family members. They may be your work colleagues or your customers – or want to be. They may be parents, children, friends, partners, home-owners, passengers, comedians, political activists, entrepreneurs, film enthusiasts, and so on. Like everyone else, disabled people have an age, a gender, an ethnicity, and a sexual orientation. They live in rural and remote locations, cities and villages. They have every possible characteristic, even if too often they are defined just by their impairment.

For all the ways in which disabled people are just the same as everyone else, they are different because of the extent to which their life chances are blighted by inequality and exclusion. According to DRC Scotland figures, approximately four in ten (42 per cent) of all households with a disabled person have an income of £10,000 or less. Of the working age population 45 per cent of disabled people are in employment compared to 82 per cent of non-disabled people. Fifty-eight per cent of disabled people (with or without a long-term illness) have no qualifications compared to 24 per cent of non-disabled people. One in five disabled Scots has experienced harassment because of their disability.

The figures may speak for themselves but they cannot convey the reality of many disabled people's day-to-day lives. Disabled people can find they are denied the opportunity to exercise full citizenship, to make the most of their potential to contribute to society. The focus can be exclusively on what disabled people can't do, not on what they can – on disability rather than abilities. Disabled people may effectively be denied basic human rights, to choice and control over how they live their lives, freedom of movement and access to information. Too often they experience patronising attitudes – and sometimes even outright hostility. Too frequently their views are not sought on matters directly affecting them. It is not surprising that disabled people can feel devalued, disrespected and dismissed.

However, it would be wrong to suggest that there has been no progress over recent years. The introduction and extension of rights, the establishment of the Disability Rights Commission, the wider availability of direct payments, the recognition of British Sign Language and Irish Sign Language as minority languages, and the introduction of the concessionary travel scheme are just some of the initiatives that have helped

1

introduction

make a positive difference. Despite this, high levels of inequality and exclusion stubbornly persist, to the detriment of disabled people – and of wider Scottish society.

Disability is not an inevitable consequence of having a physical, sensory, communication or intellectual impairment. Disability is the creation of uninformed policies, poorly-considered institutional practices, and public attitudes founded on wildly inaccurate stereotypes. Yet, rarely is there a deliberate intention to exclude. Many would be appalled to learn that their actions and inactions are causing disability and disempowerment. The good news is that, if the will is there, policymakers, institutions, and society in general can remove the disabling barriers they create. The even better news is that there is increasing evidence that the will to do so exists. The question is how to find out what needs to be done. The answer is – ask disabled people and their organisations.

With this in mind, in 2004 the Scottish Executive Equality Unit established the Disability Working Group (DWG). This followed on from the European Year of Disabled People in 2003, in recognition of the need to build on what this had achieved.

1.2 Purpose and structure of this report

This report presents the recommendations of the Disability Working Group. These set an agenda primarily for the Scottish Executive but also for other key players including local authorities, employers, educators, community care providers and others. In fact, everyone has a role to play in making disability equality a reality. Not only is it a matter of getting policies right, but of how day-to-day interactions with disabled people are conducted. Nothing short of a major cultural shift is required.

Although the Disability Working Group set up satellite groups each with a specific focus, it was striking that the same issues were often identified by different groups. This presents significant challenges when it comes to presenting the recommendations coherently. No matter how this report was structured, many recommendations would be relevant to more than one section. As with everyone else, disabled people and their lives cannot be neatly sub-divided into boxes. This underlines the importance of ‘joined up’ policy. A wide range of action is required by a wide range of institutions. Failure in one area can have knock-on effects elsewhere.

The report begins by considering the ‘big picture’ context in which the recommendations are made, to show how they are relevant to current debates. The next section focuses on ‘overarching themes’ which inform the strategic direction and/or the implementation of others. Particular policy areas are then discussed in section four. Finally, the report charts what needs to happen next, to transform recommendations into reality.

1.3 The Disability Working Group

The Disability Working Group (DWG) was comprised of representatives from leading national disability organisations and other major players (see annex 2 for details). Its remit was:

“To establish priorities for the Scottish Executive and partner organisations to promote equality for disabled people in Scotland; and to develop proposals on longer term mechanisms for engagement with the disability sector.”

There are many areas where action is required, and there were many possible ways of structuring discussion. In order to focus deliberations, it was agreed to establish four ‘satellite groups’ around key areas. Each proposed recommendations which were then discussed and agreed by a ‘core group’. The satellite groups were:

- **Group 1:** Employment
- **Group 2:** Public Sector Duty to Promote Disability Equality; Mainstreaming Disability Equality; Corporate Responsibility; Engaging Public Authorities
- **Group 3:** Consultation and communication; education and training; citizenship and public attitudes
- **Group 4:** Social inclusion; poverty; independent living; direct payments; care and support services

Please refer to annexes for a summary of recommendations from each group and for group membership. For background papers and minutes, please see the Disability Working Group’s website (go to the Scottish Executive’s website: <http://www.scotland.gov.uk>, go to the ‘Topics’ heading, click on ‘People and Society’, then on ‘Equality’ and then on ‘Disabled People’).

1

introduction

To avoid duplicating effort and make the best use of limited time, the Mobility and Access Committee for Scotland (MACS), Sport Scotland, Scottish Disability Sport and the Scottish Arts Council were consulted to see if there was scope for the DWG to add value. Presentations were made to the DWG by representatives from these bodies. Speakers highlighted the need for baseline research on disability and sport and disability and the arts, and the importance of education and training on disability. The DWG was already addressing the latter but agreed to propose a recommendation to support the need for baseline research in those areas.

Baseline research should be conducted on disabled people's participation in the arts and sport – not just competitive sport but sports in general.

Core Group

Apart from that, it was concluded that transport, access to the arts, sport and culture were already well covered by others and therefore the DWG would not make recommendations on these.

One important area which the DWG did not have time to look at which was acknowledged to require further work was rehabilitation. There remain issues to consider around its meaning and delivery in the context of employment, independent living support, and health.

An exercise to develop 'proposals on longer-term mechanisms for engagement with the disability sector' is currently underway and has not yet concluded. It is therefore not discussed in this report which only aims to address the first half of the DWG's remit.

2

the big picture

2.1 Targeting recommendations

Achieving positive change for disabled people in Scotland will require action by the Scottish Executive and the Westminster Government and the many stakeholders involved in influencing, implementing and delivering policy deriving from either source. It is important to understand respective areas of responsibility. It is also helpful to be aware of current political agendas and debates, and identify opportunities to promote recommendations and demonstrate their relevance.

2

the big picture

Devolved policy areas, like education and training, community care and health, have potential to play a major role in promoting equality and social inclusion for disabled people. Although it went beyond the DWG's remit to make recommendations for Westminster policy change, clearly policy areas reserved to the Westminster Government, like anti-discrimination law, employment and social security, also have a direct impact on disabled people in Scotland. Furthermore, initiatives originating in Westminster may require action by the Scottish Parliament and others in Scotland.

This section briefly describes the key features of the 'big picture'.

2.2 Changing institutions, processes and outcomes

a) The Disability Equality Duty (DED)

Perhaps the most important contextual factor for this report is the Disability Equality Duty (DED). Many of the DWG's recommendations are directly or indirectly relevant to it, and they should be helpful in steering its implementation. The DED is contained in the (Westminster) Disability Discrimination Act 2005, although there is a key role for Scottish Ministers and there are separate Scottish regulations.

There is a General Duty and Specific Duties. The General Duty means that a public body, when carrying out its public functions must have due regard to:

- promoting equality of opportunity between disabled people and other people;
- eliminating discrimination that is unlawful under the Disability Discrimination Act;
- eliminating harassment of disabled people that is related to their disability;
- promoting positive attitudes towards disabled people;
- encouraging participation by disabled people in public life; and
- taking steps to meet disabled peoples needs, even if this requires more favourable treatment.

Public authorities listed in schedule 1 of the Scottish regulations are covered by the Specific Duties, which set out the steps that must be taken to fulfil the General Duty.

They will have to produce a 'Disability Equality Scheme' by December 2006. The scheme will need to include a statement about how disabled people have been involved, the impact assessment method to be used, an action plan, arrangements for gathering evidence regarding employment and (if appropriate) delivery of education and its functions.

Scottish Ministers also have a Duty requiring them to publish reports every 3 years (the first in December 2008) giving an overview of progress and proposals for co-ordinating future action.

The DRC is producing a range of guidance documents and the Code of Practice is on their web-site: <http://www.drc.org.uk> (click on 'Employers and Service Providers', then on 'Disability Equality Duty').

b) The Commission for Equality and Human Rights (CEHR)

Provisions to establish the CEHR are contained in the (Westminster) Equality Act 2006. From October 2007 it will subsume the work of the Disability Rights Commission, the Equal Opportunities Commission and, in April 2009, the Commission for Racial Equality. Its remit will extend the areas covered to include age, sexual orientation and religion or belief. Recruitment is currently underway for a Chair and key Commissioners, including the Scottish Commissioner, who would then be involved in setting up a Scotland Committee. There will also be a Disability Committee and one of the Commissioners must have personal experience of disability.

It remains to be seen quite how the CEHR will function. Ideally it should provide a structure for identifying and addressing equality issues of particular relevance to Scotland, and to disabled people, while promoting greater understanding of issues which cross groups and diversity within groups.

c) Mechanisms for engaging and involving disabled people

The need to develop such mechanisms is gaining momentum with the Disability Equality Duty's requirement that public authorities involve disabled people in the development of their Disability Equality Schemes.

2

the big picture

The Prime Minister's Strategy Unit report 'Improving the Life Chances of Disabled People' (January 2005) proposes the establishment of a 'National Forum of Organisations of Disabled People' – a body through which disabled people across the UK can participate at an early stage in the design of policies and services. A short-term Advisory Group was appointed to make recommendations about the Forum. In July 2006 Westminster announced the creation of a new body to be known as "Equality 2025: the United Kingdom Advisory Network on Disability Equality". This may well have implications for the part of the DWG's remit covering the development of proposals on longer term mechanisms for engagement with the disability sector. It is in no one's interests – and certainly not disabled people's – to set up two structures which duplicate each other. However, the DWG is concerned specifically with mechanisms for disabled people and their organisations to engage with the Scottish Executive. Work to take this forward is therefore in hand. Each process needs to remain alert to the implications of the other, and be committed to ensuring a coherent outcome.

2.3 Key changes to policy direction

a) Independent Living

In February 2006, the Scottish Executive published *Changing Lives: Report of the 21st Century Social Work Review*. This emphasised the importance of personalised services, the need to engage service users as 'active participants', prevention and earlier intervention, and the need to work with other professionals. It set a 'new direction for social work services in Scotland', around core values including respecting the right to self determination, promoting participation and taking a whole person approach. The document is on the Scottish Executive's web-site: <http://www.scotland.gov.uk> (click on 'Publications').

At Westminster, the Prime Minister's Strategy Unit report 'Improving the Life Chances of Disabled People' (January 2005) proposes to introduce 'individualised budgets', building on the principles of direct payments and independent living. The aim is for existing resources to be allocated and services delivered in ways that personalise responses. They should also smooth transition points, e.g. between education and employment, by bringing together currently separate sources of funding. The scheme,

currently being piloted, would be the same across England and probably Wales. It will not cover Scotland, as some of the funding sources include those within devolved areas of responsibility. However, some of the UK/GB budgets to be pooled also cover Scotland (e.g. Access to Work, Independent Living Funds). It remains to be seen how this will be resolved.

b) Welfare to Work

Workforce Plus – An Employability Framework for Scotland was launched in June 2006 by Allan Wilson, Deputy Minister for Enterprise and Lifelong Learning and Malcolm Chisholm, Minister for Communities. Despite record levels of employment in Scotland, the intention is to be more ambitious about helping disadvantaged people find work. Workforce Plus sets out the collective leadership and action needed at national and local level to achieve this. It sets a headline target to help 66,000 people move from benefit into work by 2010, in seven key areas: Glasgow, North and South Lanarkshire, West Dunbartonshire, Dundee, Inverclyde and Renfrewshire. The document highlights six themes: early interventions; client-focused interventions; employer engagement; sustaining and progressing employment; joined up planning and delivery of services; and better outcomes. It proposes to establish local employment partnerships to deliver appropriate services. The Executive is making available £11m over this year and 2007-08 to facilitate local actions, but Workforce Plus is mostly about making better use of the estimated £500m a year spent across Scotland on employability services. The Framework has its own website: <http://www.scotland.gov.uk/employabilityframework>.

The Scottish Union of Supported Employment (SUSE) has been commissioned by the Scottish Executive to produce a blueprint for supported employment in Scotland. ('Supported employment' aims to let disabled and disadvantaged people get 'real jobs' in the open market and is not to be confused with 'sheltered employment').

The blueprint will be the first time that the concept of 'supported employment' has been set out in Scotland, along with the suggested roles and responsibilities of different organisations in promoting and delivering supported employment.

2 the big picture

A (Westminster) Green Paper entitled *A New Deal for Welfare: Empowering People to Work* was published at the end of January 2006. It proposes to replace Incapacity Benefit with a new Employment and Support Allowance. New claimants, except those with the most severe disabilities and health conditions, will need to participate in work-focused interviews, produce action plans and engage in work-related activity, or see their benefit level reduced.

The Green Paper also proposed that the Incapacity Benefit 'Pathways to Work' pilots should be rolled out nationwide. The Pathways to Work areas, including one in Renfrewshire, Inverclyde, Argyll and Bute, and others in Dunbartonshire, Glasgow and Lanarkshire have a package of measures including Work Focused Interviews, Condition Management Programmes (delivered in partnership with the NHS) and a Return to Work Credit. They also include strategies to engage employers. Future Pathways to Work provision will be delivered primarily by the private and voluntary sector with 'payment by results'. The Green Paper proposes a 'Cities Strategy' – which would fit well with the local employment partnerships proposed in the Scottish Executive's Employability Framework. This clearly implies a reduced role for Jobcentre Plus and an expanded role for Scottish private and voluntary sector organisations in the provision of employment services to disabled people. There may also be implications for the role of NHSScotland.

For more information see the Department for Work and Pension's web-site:
<http://www.dwp.gov.uk>.

2.4 Setting a new agenda

The DWG's recommendations will go alongside the outcomes of other current initiatives aiming to explore disability issues and set agendas.

a) Equal Opportunities Committee Disability Inquiry

A key part of the context for the DWG's work is the Scottish Parliament's Equal Opportunities Committee's major inquiry into disability issues in Scotland called 'Removing Barriers and Creating Opportunities'. Announced on 22 June 2004, the inquiry has focused on access to work, further and higher education and leisure and the arts. Information on attitudes, access to information and advocacy was gathered throughout. The outcome of the inquiry is expected to report in late 2006 – much the same time as this report is to be published. Together the two should help promote a high profile for disability issues and strengthen the call for action in the run up to the implementation of the Disability Equality Duty in December 2006.

b) DRC's 'Disability Debate'

The DRC has been running the 'Disability Debate' for the last six months, with the aim of developing an agenda on disability for the CEHR. The outcome of this exercise is expected at the end of 2006.

3 overarching themes

Having set the context for this report, the next two sections present the recommendations emerging from the DWG's deliberations. Examples are provided to illustrate the nature of the barriers that disabled people experience, how they can be overcome, and the benefits that consequently ensue. The aim is to present recommendations clearly and accessibly, giving some background information about each and explaining the thinking behind them.

There are a number of themes that are relevant across the board, underpinning other recommendations, informing how they should be taken forward and providing strategic direction. These are addressed in this section.

There are also several themes that recur repeatedly, and these are discussed under topic headings. They include concerns around the need for research. There are gaps in the evidence-base needed to inform policy. If progress is to be measured, not least in the context of the Disability Equality Duty, starting points (baselines) are needed. To ensure progress is in the right direction, standards need to be set and audited.

When it comes to research, and to setting standards, disabled people need to be involved. They should not just be the objects of research, but equal participants in it. And standards which fail to reflect disabled people's experiences, needs and aspirations are no standards at all.

In January 1998, disabled people were invited to get involved in a project to develop an Accessible Transport Strategy for Glasgow, funded by Glasgow City Council. Invitations were mailed to over 250 disabled people's organisations or individual disabled people. As a result, 60 disabled people attended a workshop. The proceedings were published and widely distributed.

The Project did not find a lack of technical expertise amongst transport providers or planners, or a lack of support for the principle of making transport accessible. But disabled people have often been effectively excluded from contributing to accessible passenger transport strategy development by physical obstacles (e.g. the key meeting is held in an inaccessible room, or there is no budget for a BSL English Interpreter). Transport provision and planning was fragmented. Disabled people campaigning for accessible transport lacked technical expertise – often due to a lack of appropriate resources.

After the workshop, some delegates joined the Project's four transport working groups, covering buses, trains, taxis, and door-to-door services. This enabled them to become more fully acquainted with current technical and institutional barriers. This began to develop a pool of expertise.

3

overarching themes

The Project concluded that disabled people have much to contribute to monitoring, evaluation, quality of services, training of public transport staff and the design of services and facilities.

Glasgow Centre for Inclusive Living

3.1 Attitudes and actions

a) Raising awareness campaigns

If attitudes towards disabled people are based on inaccurate stereotypes and unquestioned assumptions, inappropriate actions will follow. To achieve the necessary cultural shift, the starting point has to be to shift attitudes, to raise awareness about disabled people's needs, aspirations – and their normality. It means raising awareness too about the barriers to equal opportunity and what practical actions can be undertaken to remove them or, better still, prevent them from occurring in the first place (consistent with the Disability Equality Duty).

A campaign should be undertaken by the Scottish Executive to challenge negative attitudes towards disabled people and promote equality of opportunity.

Group 3

Although there are some good examples of effective campaigns, including media campaigns – like 'see me...' or 'One Scotland, Many Cultures' – campaigns to 'raise awareness' run the risk of being woolly and unfocused. Measuring shifts in public attitudes can be done through surveys, but time scales tend to be lengthy and it can be hard to pin-point the effect of any one initiative. It would therefore be important to be clear about intended outcomes and consider different methods. Research is needed to inform any campaign work – to identify the issues, provide evidence to support the case to be made, develop key messages, identify appropriate channels to deliver those messages, and so on.

The DRC's 'Open4All Campaign' (October 2003-October 2004) promoted the new duties under the Disability Discrimination Act requiring service providers to make reasonable changes to premises to enable disabled people to use their buildings and services.

The campaign had overarching aims around increasing awareness of physical barriers and of the new duties, supporting rights and responsibilities so that the law is effectively implemented and positioning the DRC as a primary source of information and advice. Campaign objectives were developed relating to the two phases of the campaign. The objectives of phase 1 included targets like numbers of media hits, speaking engagements, micro-site hits and document downloads. There were targets for events, endorsements from key organisations and the publication and distribution of campaign publications. Phase 2 had objectives around reinforcing knowledge and understanding and achieving meaningful engagement with service providers, informing people about rights, and getting agencies to stock relevant materials for disabled people. Activities and broad audiences were identified against each.

The objectives for phase 2 were very different in character to those for phase 1. There were no numerical targets for activity and so they were harder to track. Setting objectives and having formal independent evaluation enabled lessons to be learnt for future campaigns.

DRC Open4All Fourth Evaluation Report, by ECOTEC Research & Consulting Limited

A generic Scottish Executive campaign might be accompanied by targeted campaigns aimed at key constituencies like employers, educators, health-care providers and other public sector bodies, perhaps in the context of the Disability Equality Duty. Campaigns might also focus on specific issues.

Work should be undertaken to encourage positive attitudes to disability through a Scottish wide advertising campaign, which includes addressing attitudes to disabled people in employment.

Group 1

3

overarching themes

Such a campaign might be aimed primarily at employers, but it could also tackle the negative attitude that fellow employees can sometimes display towards disabled colleagues. Intended outcomes could include making recruitment processes more accessible and encouraging disabled people to apply for vacancies. Another outcome would be an increase of disabled people getting and retaining employment and being provided career development opportunities.

b) Disability equality training

Disability equality training (DET) grew out of the disabled people's movement in the late 1980s. If done well, it can be very effective in shifting attitudes, helping people to understand legislative requirements, identify their implications for working practices and achieve positive outcomes. It is likely to be invaluable in the context of the forthcoming Disability Equality Duty, and it seems probable that demand for it will increase.

Training for Lothian Buses is being delivered to new drivers, managers and shop staff giving them a greater understanding of the barriers that affect disabled people's use of buses and helping them to make sure they don't behave in ways that could be perceived as discriminatory. Lothian Buses is committed to the training as part of a longer-term strategy of providing high quality customer service.

Similarly, having undergone disability equality training, First ScotRail believes it has enabled staff to deal efficiently and effectively with disabled passengers, both in terms of increasing the accessibility of services and in raising their overall journey experience. This of course has major benefits for disabled passengers.

Capability Scotland

At the moment it is unclear how widely available DET is and what approaches to it are proving most (and least) effective. Anyone can set themselves up as a trainer and there is no clear benchmark of standards.

Research was commissioned by the Equal Opportunities Committee as part of its inquiry (see 2.4): 'Disability Equality Training in Scotland' (December 2005, McFarlane & Watson, Strathclyde Disability Research Centre). This aimed to consider the

geographical spread of DET, determine the components off DET delivered and ascertain the extent and methods used to evaluate it. This was a useful exercise to establish what the picture is at the moment. The future development of DET needs to be led by disabled people.

The research on DET commissioned by the Equal Opportunities Committee needs to be assessed by disabled people, gaps and issues need to be identified and further research undertaken as necessary.

Core Group

To develop appropriate standards and consider how they might be reflected in an accreditation system will require careful consideration and planning. An advisory group could be established, led by disabled people, to oversee the project.

Standards and/or accreditation for disability equality training should be developed.

Group 3

The Scottish Executive should play a role both in supporting the development of standards and in promoting the take up of disability equality training. The latter might dovetail well with an awareness-raising campaign.

The Scottish Executive should develop quality standards for disability equality training and encourage wider take up amongst employers and employees of disability equality training.

Group 1

If training is to get messages across, it is particularly effective if the trainer is her/himself a disabled person. It is also an important principle that DET should be led by disabled people. An advisory group on standards and accreditation might also develop proposals for encouraging disabled people to become DET trainers.

3

overarching themes

Disabled people should be encouraged to become disability equality trainers.

Group 3

As would be consistent with the Disability Equality Duty, access to disability equality training should be widened by incorporating it into training and development for all public sector employees including nurses, town-planners, teachers, bus-drivers and so on. Although frontline staff may be expected to have more day-to-day contact with disabled people, it is vitally important that disability equality is embedded into strategy too, not forgetting that disabled people may not just be service users but colleagues. It should therefore be part of induction procedures for all staff.

Initial education and training and continuing professional development across the public sector should incorporate mandatory disability equality training, including on communication support needs.

Group 3

One way of increasing exposure to disability equality training would be to incorporate it into professional undergraduate and postgraduate course accreditation and registration requirements.

Accrediting bodies for the professions should include disability equality training.

Group 3

Architecture schools in Scotland have recently moved to include disability equality training in their training programmes. The 'Learning Inclusive Design' arose out of the DRC Scotland's Built Environment Reference Group. Although a lot of professional development work was being done through conferences targeting architects, planners, designers, local authorities and others, nothing was included from the outset in undergraduate and post-graduate courses. The first stage was to initiate a debate with the six Scottish Schools of Architecture and their over-arching Association (ASSA). At that point the curriculum set by RIBA

was being updated, providing a clear gateway for disability equality. There are now plans for learning to be passed to other college and university courses for professions which could make a positive impact on the physical environment for disabled people, such as surveying, planning, and product design.

DRC Scotland

c) Recognising diversity

Understandings of who disabled people are can sometimes be very limited. At worst, disabled people are equated with wheel chair users, and ‘disability access’ is taken to mean ‘wheel chair accessible’. Even if different impairment groups are recognised, it is often not acknowledged that disabled people are members of other groups founded on characteristics such as ethnicity, gender, and so on – or that people who are members of other groups are also disabled people.

Although certain Acts will be specifically relevant to disabled people, this implies that legislation that affects anyone at all will affect disabled people. Organisations and initiatives concerned with any one group need also to take account of the implications for others.

The Scottish Executive’s strategic group on ethnic minorities in the labour market should consider the needs of disabled people.

Group 1

The importance of recognising diversity obviously applies to the Disability Working Group’s recommendations. In all cases, attempts were made to consider not just the implications for different impairment groups, but also wider diversity issues. No doubt much more needs to be done to explore these fully. The arrival of the CEHR might facilitate this in due course. Certainly perspectives from the six equality strands – race, disability, gender, sexual orientation, religion or belief and age – all need to be taken into account in the policies and developments ensuing from the Disability Working Group’s recommendations.

3

overarching themes

Consultation with minority ethnic disabled individuals, disability and minority-ethnic-focused organisations showed that information services do not appear to provide adequate rights-based information to black and minority ethnic disabled people. Respondents suggested that organisations working with minority ethnic communities need to take specific actions in order to address disability equality whilst disability organisations need to take specific actions in order to address race equality.

Consultation took place via a postal questionnaire survey and three events held in Autumn 2003. Details of the project, its findings and action points were reported in 'Our Rights, Our Choices: Meeting the information needs of black and minority ethnic disabled people' (DRC and Centre for Education in Racial Equality in Scotland)

DRC Scotland

Sometimes having an impairment, or rather society's response to it, is not the main issue. The most significant barriers can be associated with other characteristics that the person also possesses.

X and her husband Y, who is disabled, fled to Scotland 4 years ago to start a new life with their daughter. It was a difficult start for the family, but with hard work and determination, and the help of locals they are now a successful part of the community. X says that although she knew English before arriving in Scotland, she admits that she couldn't understand the Glasgow language. "I found it difficult when we first arrived – everyone spoke English so different to what I had been taught!"

They had run their own business in Iran, but when it came to starting up in Scotland, they were at a loss. They were put in touch with Business Able, a Scottish Enterprise project to support disabled entrepreneurs. They helped them with every aspect of starting a business whilst ensuring they didn't miss out on benefits. Through word of mouth, business is thriving thanks to the quality of service offered. "I love having my own business here, and now hope to save the money to buy our first home in Scotland!"

Scottish Enterprise

3.2 Institutions and their operations

a) Scottish Executive principles

To steer the work of any organisation and promote consistency across the piece, it is important to have a long term vision and a set of principles or values which permeate all activities. The Scottish Executive is ideally placed to exercise a wider leadership role externally to promote of disability equality.

The Scottish Executive should lead by example and make a clear statement of commitment to equality of opportunity for disabled people.

Group 3

The Scottish Executive itself is a complex organisation, with many agencies, departments, divisions and units, all potentially relevant to disabled people. Their contact with disabled people and understandings of disability can reasonably be expected to vary significantly. However, if policy is to be 'joined up', consistency of approach is critical. The difference between the social and medical models of disability need to be understood, not least because they have very different implications for policy. The social model views disability as resulting from 'social barriers', such as negative public attitudes and inaccessible environments (so policy needs to empower by changing attitudes and environments). The medical model sees disability as resulting from impairment (so impairment is the 'problem' to which medical and other professionals hold the solution).

The Scottish Executive should agree and publish a set of principles, based on the social model of disability, that underpins the work of all departments. Such a set of principles will be developed in partnership with an advisory group of disabled people.

Group 4

3

overarching themes

b) Implementing the Disability Equality Duty (DED)

The DED is a significant feature of the context in which the Disability Working Group's recommendations are made (see section 2). All involved – staff at all levels, disabled people and their organisations – may require support. Once again, the Scottish Executive is well-placed to provide leadership and support to others.

Research

DED requirements might provide the backbone of a comprehensive Scottish Executive disability research programme to establish baselines and standards, collect new information as it becomes available, monitor and report on progress.

Given that gathering evidence and the involvement of disabled people are both key features of DED Disability Equality Schemes, the Scottish Executive should also commission research to get information about the disability sector and how disabled people would wish to be involved. Although the charities register would be one source of information, not all disability organisations will be registered. If possible, diversity within the disability sector should be mapped. Issues around involvement should be clarified, barriers and gaps identified, along with examples of good practice. Such research could be used to raise the awareness of public bodies about the range of disability organisations and to promote the effective involvement of a diverse range of disabled people. It should help encourage public bodies to be proactive in making contact with disabled people.

Research should be undertaken, in the context of the disability equality duty, to map the disability sector and understand the capacity of disability organisations to engage with public authorities, including collating of existing materials and databases.

Group 2

The aim should be to avoid over-reliance on the ‘usual suspects’, such as the larger organisations or high profile individuals. Action needs to be taken to plug gaps in representation identified by research, and to take forward necessary capacity building if more disabled people, and a greater variety of disabled people, are to be involved in influencing decision making. This should include people who are hardest to reach and those with complex support needs. Particular measures may be needed to address multiple discrimination and multiple exclusion.

Disabled people will need to understand what a public authority does if they are to be able to make their involvement effective. Public authorities should take the lead in giving disabled people the necessary information, making sure it is fully accessible. They will also need to consider their own capacity and allocation of resources to secure the meaningful, equal and sustained involvement of disabled people.

Work should be undertaken to build the capacity of disabled people and support their involvement in the implementation of the disability equality duty.

Group 2

Groups of young disabled people got involved in an exercise supported by CoSLA’s Young Scot/Dialogue Youth initiative, funded by the Scottish Executive. They met together in March 2005 and discussed the kinds of issues they’d like to see improved. Then they all went back to friends, flatmates and colleagues to discuss what they thought about these issues and to find out if they had any others. In June, the original group came back together at a meeting with Malcolm Chisholm and Ewan Aitken (CoSLA spokesperson on young people’s issues). Some made presentations about what they found out, others had individual discussions.

The group supported by Sense Scotland has met again since to consider the Minister’s response to their issues and has agreed what they want to say about them. During discussions, the young people also offer each other suggestions on how to take issues forward locally.

Sense Scotland

3

overarching themes

Approach and resources

The DED should be an important mechanism for ending institutional discrimination against disabled people. It will require and promote a culture shift within organisations. To achieve this, everyone in the organisation will need to understand the DED and take responsibility for implementing it – and to achieve this will require high level commitment and leadership. The Chief Executive Officer will need to ‘sign off’ their organisation’s Disability Equality Scheme and it must have ‘weight’ if it is to be taken seriously. The monitoring and reporting of progress needs to sit with a senior manager answerable directly to the Chief Executive Officer.

A public authority’s disability equality scheme should be the responsibility of everyone in the organisation; and leadership from senior management teams will be essential.

Group 2

To implement the DED successfully and build staff confidence in it, guidance of various sorts will be published by the Disability Rights Commission. It will be necessary to ensure guidance covers the involvement of a diversity of disabled people, including those from minority ethnic communities, people with complex support needs, etc.

The DRC guidance will aim to provide an authoritative representation of the law, making clear to public bodies that this is a legal duty and setting out what is meant by involvement under the legal definition. Guidance by other bodies such as Scottish Executive could be broader than this, perhaps considering issues around consultation too, and identifying practical guidance on reasonable adjustments that might need to be made to ensure that involvement is possible.

There should be guidance for public authorities on consulting and engaging disabled people.

Group 2

An inclusive approach was taken to the Executive's Finding Practical Solutions to Complex Needs consultation. In order to reach young people with complex needs and communicate with them directly, the Executive commissioned the CALL centre (Communication Aids for Language and Learning) to produce a picture and symbol based version of the consultation paper. This, combined with individual interviews, ensured that the voice of young people with complex needs was heard in the wider consultation.

Scottish Executive

ETLLD: Student Inclusion and Access Team

In practical terms, particularly in the early stages, it may make sense for public authorities, perhaps in the same geographical area or sector, to work together to engage and involve disabled people. This would help strengthen interagency working, promote peer support and the sharing of good practice.

The Scottish Executive should promote shared or joint approaches by public authorities to local or regional engagement and involvement of disabled people.

Group 2

Standards

Although the DRC will have the key enforcement role, others too will have important roles to play in ensuring the DED is implemented to a high standard. Audit and inspection bodies in particular should build this into their usual procedures as one of the things they will look for. There therefore needs to be a clear framework within which to monitor and assess standards. Finance and Public Service Reform Minister, Tom McCabe, announced an independent review of scrutiny of public services on 7 June 2006. The review will look at how improvements could be made in inspection, regulation, audit and complaints handling for public services in Scotland. And in 2006-07, Audit Scotland will be auditing a range of public bodies (those with accountable officers) against the updated duty of Best Value as part of their work on mainstreaming equalities.

3

overarching themes

The Scottish Executive, audit and inspection bodies and the Disability Rights Commission should consider a framework for auditing of the disability equality duty.

Groups 2 and 3

It is not just a matter of external bodies ensuring high standards of implementation are met. Each public authority needs to take responsibility. Understanding and implementing disability equality could be treated as a core competence throughout public sector organisations (and others as well!); an integral part of staff appraisals and internal audits.

Demonstrable knowledge and implementation of the DED should be a key competence within staff performance management in the public sector in Scotland.

Group 3

At annual appraisals staff should be able to provide evidence of how they have applied the DED over the preceding year and what improvements they plan to make in the following year.

3.3 Disabled people's lives

All the recommendations have as their final objective to achieve improvements to disabled people's lives, so that they can participate fully in society as equal citizens. This does not just mean tackling issues in particular policy areas. There are some barriers which are strategically significant. They cut across all other initiatives or have scope to make a particularly positive difference in wide-ranging ways.

a) Independent living

As highlighted in 2.3 independent living is a key policy area. Most people have choice and control over how they live their lives. Inflexible services can result in disabled people not even have choice about when they get up, wash, eat or use the toilet,

and no control over who assists them with such personal tasks. It is little wonder that the disability movement has long campaigned for 'independent living'. Without independent living, achieving full citizenship is but a distant dream.

Independent living does not mean doing everything for yourself. It means having choice over who does what on your behalf, and control over when and how. Ultimately it means having the same choice and control over your life as non-disabled people do.

The Scottish Executive should consult disabled people to ascertain the best way to support independent living nationwide.

Group 4

High quality advocacy services need to be available to disabled people who require support to represent their views and interests, e.g. to service providers in order to secure appropriate services. It needs to be independent of the service provider so that the disabled person can have confidence that the advocate is working in her/his interests, not the service provider's.

The Scottish Executive should support independent advocacy services for disabled people nationwide, including independent peer advocacy.

Group 4

Advocacy has made a huge difference to a family where both parents have a learning disability and their three children have additional learning support needs. The advocate found out about and explained the purpose of meetings with the school, who would be there and then supported the parents to prepare what they wanted to say and ask. The advocate also explained their rights under the new Education Act in a way that they could understand. This meant the parents felt more able to take an active role in the children's education and meetings were much more productive. The advocate accompanied them to meetings and just having someone there who was totally on their side made the whole meeting process easier.

3

overarching themes

Help from other agencies had not always been welcomed by the family who had been 'labelled' difficult to work with. The advocate was able to support them to meet with social worker, family support worker and income maximisation staff as well as securing funding for children to attend an out of school care club locally. The advocate has helped the family to understand that they can make choices and how to work with professionals in a constructive rather than a confrontational way.

Children in Scotland

b) Accessible and inclusive communication

It is estimated that at least a quarter of a million people in Scotland have some form of communication support need during their lifetime. However, according to the RNID, there are as many as 758,000 people in Scotland who are deaf or hard of hearing, the majority of whom would require communication support – and there are other groups who may have particular communication support needs, e.g. deafblind people and people with aphasia.

Having such needs can mean being ignored, actively avoided or insulted. It can mean being put under pressure by impatient and angry service providers, or being wrongly regarded and treated as a person who is 'incapable' in the full legal sense. It may mean being actively excluded from, or thrown out of services, or experiencing discrimination by employers at the stage of application, interview, recruitment, or promotion.

Communication is clearly essential to social inclusion and empowerment. It is an integral part of day-to-day interactions and relationships. It is necessary in order to acquire information about rights, to take advantage of educational and work opportunities, to make choices, and to influence policy. Failure to meet communication support needs can therefore have a devastating impact on life chances. Yet there is much that can be done to make communication accessible and inclusive.

The Scottish Executive should develop practical guidance on inclusive communication and consultation; establish a website of good practice on consultation; develop and promote inclusive communication environments; and provide a gateway to existing sources of expertise.

Group 3

A young man with communication support needs and a learning difficulty was presenting services with challenging behaviour as a means of communicating he didn't like or was disinterested in opportunities on offer. A simple symbol communication aid called a 'Talking Mat' was used to determine what he liked to do. He used this aid to plan, in a meaningful way, with those providing services and as a result services were challenged by him on far fewer occasions.

From Forth Valley Speech and Language Therapy Services

Once again, it is important to take all disabled people's characteristics into account, if communication is to be accessible and appropriate. Disabled people whose first language isn't English may face particular barriers. There may be cultural issues to factor in too. An effective style of communication with younger disabled people may not be appropriate for older disabled people, and there may be different ways to reach different groups. Information and advice needs might well vary, as might the availability of information and advice services. Disabled people living in rural or remote areas may face particular challenges. To ensure communication and information needs are met consistently and appropriately it will be important to work in partnership with disabled people and disability organisations.

The Scottish Accessible Information Forum (SAIF) works to promote the rights of disabled people and carers to information that is accessible in the broadest sense. SAIF's work is guided by an advisory body of twenty-one people from disability-led organisations and information providers. SAIF's *Standards for Disability Information and Advice Provision in Scotland* (published 1999; revised edition 2004) were developed as a practical tool to help agencies in the voluntary, public and private sectors adopt good practices that ensure disabled people can access effective information and advice services.

3

overarching themes

The Scottish Executive should implement and promote the Scottish Accessible Information Forum standards.

Group 3

Access to information may require a rethink of the structure and location of advice services, to avoid disabled people being passed from pillar to post. 'One-Stop Shops', where fully accessible information about a range of rights and services can be obtained, may be one approach.

Research should be undertaken to find out more about information and advice for disabled people, building on the findings of the Scottish Office report *Enabling Information* published in 1995. This highlighted the importance of involving disabled people in the provision and management of information services, improving dissemination of information at a local level, improving both the accessibility of generalist services and the provision of disability-specific information, and developing and enforcing national standards. For further details see SAIF's web-site: <http://www.saifscotland.org.uk> and click on 'Publications'.

The Scottish Executive should undertake research to examine the information and advice needs of disabled people, the range of existing information provided and how access to information and advice might be improved.

Group 4

It is not just specialist information targeted specifically at disabled people that needs to be available, accessible and inclusive, but all advice and information. Access to public information, particularly in the context of emergency planning, is clearly of vital importance. For example, advance consideration needs to be given to ensuring the accessibility of information about terrorist attack or an emergency incident – perhaps a health emergency like an outbreak of *E. coli* or developments regarding bird flu. At a less dramatic level, information about flu-jabs, publicly funded awareness raising campaigns, and so on should also be accessibly and inclusively communicated.

Scottish Executive and public authority public information work should be fully accessible including to those with communication support needs.

Group 3

Most people who have a print disability are not visually impaired – e.g. those with dyslexia – and would benefit from extending copyright exemption. Current copyright law permits exemption for adaptation and distribution of texts without prior permission from the publisher, but only if it is for visually impaired users. For the purposes of the Act, ‘visually impaired person’ includes those who are unable, through physical disability, to hold or manipulate a book or move his or her eyes to the extent that would normally be acceptable for reading. People with other forms of impairment which result in print disability are not exempt from copyright law.

In order to adapt materials for people who have difficulties with books or print, but do not come under the Copyright (Visually Impaired Persons) Act 2002, it is necessary to obtain permission from the publisher, and it is illegal to share books and materials. This anomaly discriminates against many of those who have a print disability.

Recent Scottish Executive statistics indicate that of those children with impairments which may lead to a difficulty in learning, only 1.5% can benefit from copyright exemption because of visual impairment. In contrast, 20.8%, who have specific learning difficulties including dyslexia, do not benefit even though they cannot access print without modification

Sense Scotland

Copyright exemption should be extended to cover all those with a print disability.

Core Group

3

overarching themes

c) Promoting full citizenship

Negative public attitudes towards disabled people play a major role in denying disabled people's rights and capacity for full citizenship. To be continuously on the receiving end of such attitudes erodes confidence and self-esteem. This needs to be addressed early on.

The Scottish Executive should review and promote the use of materials used in schools on disability and citizenship; including reviewing the availability of, and access to, advice and guidance for young disabled people on what to do if they experience discrimination.

Group 3

Capability Scotland research in 2003 found that many disabled children have few friends outside of school and as teenagers they spend disproportionate amounts of their time in adult company:

"My wee sister has her friends staying and I get to play with them, but it's not the same. She's got friends and I haven't." *14-year-old disabled girl*

"I'd just like to go round to a friend's house without my mum." *14-year-old disabled girl*

"My daughter gets really upset when her sister goes to art class and she can't join in. She's capable of taking part, but there is no provision for a child with special needs." *Mother of a disabled child*

Capability Scotland

Consistent with the Disability Equality Duty, disabled people should have access to public life – and not just in minor roles or those that are just specific to disability. ‘Public life’ encompasses many sorts of groupings, including residents’ associations, Local Community Planning partnerships, parent teacher associations, Scottish Executive public appointments, and so on. To make these accessible commitments to proper resourcing are required. A proactive approach needs to be taken to raise expectations and to draw disabled people’s attention to opportunities.

The participation by disabled people at all levels of public life should be promoted and resourced.

Group 4

Tom, aged 14, lives in the Lothian area. He is paraplegic and uses a wheelchair to get around.

Six years ago he wanted to move up from beavers to cubs. However, the pack leader of the local cubs group said that he could not join as they thought he would need extra help. He did not feel able to meet Tom’s needs, particularly regarding participation in outdoor and water activities. They also said the building would be inappropriate. Several other local groups refused him entry on similar grounds. Tom’s mum says other families also found that cub packs wouldn’t take children even with minor impairments, including one boy with high-functioning autism, another with cerebral palsy.

This contrasts sharply with Tom’s experience of attending his local judo club. This has very much benefited him. The group is inclusive and the coach very supportive. Children kneel when practicing kicks against Tom. When he can’t attempt a move, his instructors give him exercises to do instead. His mum says: “Attitude is far more important than physical changes.”

DRC Scotland

3

overarching themes

Vote2003 was a nationwide project co-ordinated by Capability Scotland and supported by the Community Fund. It aimed to increase the number of disabled people who participated in the electoral process for the 2003 Scottish elections by empowering people to vote and improving their awareness of their rights. It is estimated that the campaign reached over 200,000 disabled people all over Scotland, of all ages and from a range of backgrounds. Various methods – website, information guides, workshops, postcards – were used to inform people of their democratic rights and how to use them. Training was delivered to Returning Officers, election planners and election day staff to improve accessibility and awareness of disability equality issues. To ensure lessons learned were carried forward, an accessibility template was developed and the Vote website is updated for each election in Scotland.

Capability Scotland

Currently only 2.4% (March 2006) of Scottish Executive public appointments are occupied by disabled people – just 18 out of 749 posts. The Public Appointments Commissioner has responsibility for developing a diversity strategy. Action needs to be taken in that context to set targets.

Targets for disabled people in public appointments should be reviewed and the Scottish Executive should lead by example in promoting the public appointment of disabled people.

Group 3

4 subject areas

This section discusses recommendations under subject headings of education, employment, community care, health and poverty. They should be read in the context of the overarching themes covered in section 3. There are also important connections between the subject areas in this section. For example, access to education is important in opening up access to employment, inflexible community care provision can make it impossible to take up paid work, and so on.

4

subject areas

4.1 Education

There needs to be recognition that barriers in education are not simply physical and that disability takes many forms. The extent, variety and implications of disabilities need to be understood and accommodated in the way education is designed, delivered and resourced.

a) Standards

There is considerable scope to extend the involvement of disabled children and young people in education, not just as pupils but to help define and identify good practice. As an Agency of the Scottish Executive, HM Inspectorate of Education (HMIE) will be covered by the Disability Equality Duty. It would therefore be fitting for them to work with disabled children and young people to develop indicators of good practice. Other partners should be the DRC, disability organisations, local authorities, and perhaps relevant Scottish Executive officials. Careful planning would be required to take this forward.

HMIE should work in partnership with disabled people, including disabled children and young people, and disability organisations to develop indicators of good practice

Group 3

Further and higher education institutions should already have mechanisms for consulting with students, such as student consultation panels. These need to be fully inclusive to all equality groups. It is not a matter of setting up new and additional structures but ensuring the accessibility of existing structures (assuming they exist). Panels should also be clearly linked in to the Disability Equality Duty and the requirement to involve (not just consult) disabled people. The effective involvement of disabled students is one area where indicators of good practice should be developed and monitored.

Further and higher education institutions should involve disabled people through student consultation panels and that inspection bodies should monitor progress.

Group 3

b) Transition points

Disabled people may need support like personal assistance, note-takers, alternative and augmentative communication aids (AAC), communication support workers, and equipment including specialised computer software such as Dragon (voice activation), Read and Write Gold for Dyslexia, or Screen Reader. Support and equipment needs may not vary significantly between educational settings or between education and employment. However, provision to meet support and equipment needs is often specific to a setting. This can mean that when the disabled person moves from one to another it is necessary to make new applications to different providers. When a person is combining part-time education with part-time employment at the same time it can become even more complicated. This can have detrimental consequences for social mobility.

In addition to the amended DDA, recent legislation made provision for planning transitions and supporting children and young people during transitional periods. The Education (Additional Support for Learning) (Scotland) Act 2004 requires education authorities to plan well in advance when a child or young person with additional learning support need is preparing to leave school. An education authority is required to start preparing for the pupil's transition from school education earlier than 12 months before transition is expected to take place. Involving the pupil in transition planning is not a one-off event. They should be involved at every stage of the process. However, it is important to ensure the reality matches the legislative intention and that transition from school is made as smooth as possible.

All disabled people should receive appropriate and adequate support and equipment throughout school, further and higher education and at all points of transition such as the transition from school to post school.

Group 3

4

subject areas

Although children tend to have their needs assessed and met more efficiently and effectively than many adults through the 'education route' in some areas the support and provision of augmentative and alternative communication aids (AAC) can end abruptly when the child reaches adulthood and is no longer receiving statutory education.

Further and higher education institutions and Careers Scotland have potentially very helpful roles to play in getting across to employers positive messages about the capacity of disabled people to make good employees. Developing close links with a range of partners, including community groups, employers and enterprise networks helps create effective learning opportunities and progression routes for learners from a range of backgrounds. Young disabled people have the potential to make excellent employees and every opportunity needs to be taken to get this message across to employers.

In developing links with business, further and higher education Institutions and Careers Scotland should take on board the need to promote disabled people as employees.

Group 1

c) Employment in education

Consistent with previous recommendations, disability equality training should feature in initial teacher training and professional development thereafter. However, to promote positive messages about disabled people's capacity and to 'embed' disability awareness into the educational sector, it is necessary to get away from thinking of disability access issues purely in terms of service use. Disabled people do not just have potential to learn but also to teach. To acquire a disability does not have to mean the end of a career in teaching. To increase diversity within the teaching profession helps to provide positive role models and better reflects student diversity.

Disabled people should be encouraged to take up careers in the educational sector and retention of disabled employees should be encouraged.

Group 3

When X was a child, her parents were told there was no point in her taking exams because she would never get a job. Forty years later, she is a lecturer working in education throughout Scotland.

She went to a special school from the age of 6 to 14, which she describes as “a wholly negative experience”. She says: “I was labelled ‘delicate’ and Educationally Sub-Normal, because I had spent a year in an isolation hospital and couldn’t read. We drew a lot of pictures and went on a lot of outings but academically – forget it. A whole tranche of kids were written off. There was a culture of low expectations.”

Fortunately her mother was a dinner lady at a mainstream secondary school and mentioned her daughter to the head teacher, who after “a lot of hard work and pulling of strings” managed to get her transferred to his school. After much catching up, X sat GCSEs and A levels but then drifted into a series of dead-end jobs. She didn’t return to full-time education until 1994 “as an escape route from a job I hated”. X went to college in Perth and Dundee, obtaining qualifications in graphic design and publications, and has lectured ever since, originally in design. She now works in the fields of higher, further, adult and community education, specialising in the inclusion of disabled students.

DRC Scotland

Y has worked as a university lecturer in computing since 1979. Over the years his sight has deteriorated to the point where he only has slight peripheral vision and he is now registered blind with a guide dog. The university has been very supportive, making adjustments to allow him to stay in his job including letting him bring his guide dog to work and getting special software for his computer (with help from Access to Work). He mentors a junior lecturer who helps out with tasks like marking so he can concentrate on front-line work.

DRC Scotland

4

subject areas

4.2 Employment

a) Raising awareness

The employment rate of disabled people in Scotland currently stands at just 45 per cent, compared to 82 per cent for non-disabled people. Although the DDA gives disabled people rights to challenge discrimination by employers and obliges employers to make reasonable adjustments, much remains to be done to change the negative attitudes of many employers towards disability.

There is no good reason why disabled people should be cast as a drain on the economy and many good reasons why employers should employ disabled people. For example, disabled employees can help businesses diversify, identify new markets and attract disabled customers (disabled people in Britain are estimated to have an annual spending power of £80bn). Many disabled people require no or few adjustments, and support is available from the Access to Work scheme. Many companies already benefit from the skills and capabilities of disabled people. Over half a million disabled people are contributing to the profitability of small businesses. And retaining a member of staff who becomes disabled generally costs less than recruiting a replacement.

The Disability Equality Duty requires the promotion of positive attitudes towards disabled people. It covers public sector employers, and those from other sectors contracted to carry out public functions. However, positive messages need to be promoted to *all* employers. Again, as per the Disability Equality Duty, disabled people should be involved from the outset in developing those messages, which may need to be tailored to different types and sizes of employer. One way to reach employers can be through intermediaries – people or organisations with whom they can be expected to come into contact, such as recruitment agencies, solicitors, accountants and others.

The Scottish Executive, the Enterprise Networks and Disability Rights Commission should work together, in the context of the disability equality duty, to develop and promote a positive message to all employers and intermediaries about disability.

Group 1

“We have two people with learning difficulties who started three months ago, with a support worker. They learn all the duties required in a retail environment and work across all departments until we see where they are best suited. They are on the payroll and treated the same as all other employees if there is a disciplinary issue or problem. They have settled in really well. One boy in particular has come on in leaps and bounds. His confidence has grown so much we have increased his hours and transferred to him to a different department where there is a vacancy.”

Human Resources Manager, Morrisons, Bellshill

Examples of workplace initiatives for people with communication support needs:

- A communication aid was developed to enable an individual to work in his local pub. Similarly recipes and instructions on the use of kitchen machinery have been adapted to increase employment opportunities for adults with learning disability interested in catering.
- Speech and Language Therapists have been working with local employment services in Edinburgh and Argyll and Clyde to provide training to job coaches and other workers who support people both starting new jobs and returning to work.

Royal College of Speech and Language Therapists

b) Standards

Measures of success for the employment of disabled people are of critical importance. They might include ‘soft indicators’ of progress on the way to employment, such as confidence levels and numbers of hours worked, as well as ‘hard indicators’ like numbers entering employment or occupying senior managerial roles. There may be indicators concerning the retention of staff who become disabled, and variables such as geography and sector (there will be different issues for different types and sizes of employer). In effect, success measures are needed at all stages of the ‘employment cycle’, into work, sustaining work once entered, work progression, and work retention if a person acquires a new impairment or an existing impairment worsens.

4

subject areas

Careful thought needs to be given to how potentially very wide-ranging indicators can be transformed into practically useful tools to drive change and improvement. Consideration also needs to be given to who might use them. Although the Disability Equality Duty provides a vehicle for introducing them into public sector bodies and their contractors, difficulties remain regarding how private sector companies more widely can be persuaded to implement them. One possibility may be the promotion of Corporate Social Responsibility reporting, where annual reports include information not just on finances but on social and environmental impact.

To develop appropriate indicators is likely to require joint working between a number of partners.

Disability organisations should work with the Enterprise Networks to identify measures of success for employment of disabled people.

Group 1

One way of motivating employers is by rewarding and publicising good practice. This should also help to build confidence by demonstrating to other employers what can be achieved and how. For example, SUSE is looking to co-ordinate national 'Diversity Awards'. Scottish Enterprise holds annual business awards for excellence in business practice. Disabled people should be involved in setting criteria for awards in recognition of good practice on disability and in the selection of award winners.

The Enterprise Networks should consider establishing and maintaining a business award on disability.

Group 1

Epilepsy Scotland – Employer of the Year Winner: Harry Gow Bakery, Inverness

“Although people are more aware of epilepsy today it is still a condition which a lot of people shy away from. Twelve years (1991) ago when Mr Gow first employed me to do administration and payroll duties it was very difficult to get a job if the company you had the interview with realised you had epilepsy. If it was mentioned on application forms then interviews were never forthcoming so I did not mention it on application forms. Mr Gow did not try to get me off the premises when I told him I had epilepsy at my interview.

When I started at Harry Gow Bakery I only took a seizure during the night. Then my fits became more frequent and happened while I was at work. Sometimes I would blank out while I was speaking to people on the phone or I would wander round the office. Over the years the company has been very supportive: I have undergone two brain tumour operations and I recently needed an epilepsy assessment which involved a 6 weeks residential stay at a specialist unit. Yet I never worried I would lose my job. My colleagues are all very good about my epilepsy. In fact, the company has employed two other people with epilepsy since I joined. Mr Gow has also gone over and above existing safety regulations and spent additional money to ensure the machinery in the factory is more user-friendly for employees with epilepsy.”

c) Information services

Both disabled people and employers need access to high quality information if they are to have the confidence to try out employment or to employ a disabled person for the first time. For example, disabled people might need information about their rights or the impact of earnings on benefits. Employers might need information on how to make reasonable adjustments, vocational rehabilitation, where to get disability equality training or how to make employee training and task instructions accessible to people with communication support needs. Both may need information about support that might be available, such as Access to Work or specialist advice and support services. However, it is not always at all obvious where to go for information and advice.

4

subject areas

The Scottish Executive should investigate the effectiveness of regional resources for signposting disabled people and employers to information, advice and advocacy on disability.

Group 1

Macform is a small family-run construction business in Wishaw specialising in Church renovations. They had recruited a profoundly deaf joiner to work with them. They then recruited a second deaf person as a joiner's labourer so they could work together. Both are native BSL users.

Having two Deaf staff raised particular communication and health and safety issues on building sites. There is often no hard wiring for alarm systems and within the construction industry the alarm is often people shouting at others, e.g. if they drop something from scaffolding.

The Company Secretary contacted RNID Employment, Training and Skills Service for advice on how to support their staff. Advice was given on Access to Work for funding to purchase equipment and communication support. They have since purchased a radio paging device that allows the site manager to send a signal to a pager so that the deaf staff have warning of fire alarms or if they are needed by the site manager. The site manager also ensures safety by not allowing the Deaf staff to work near scaffolding should anything fall and they do not hear the 'warning shout'. They also have a mobile phone that head office can text them on when they are needed at other sites. Interpreters are provided for team meetings to make them fully inclusive and all staff have had deaf awareness training.

When asked, the Company Secretary said that for a few minor adjustments they were able to retain two excellent workers, who are valued by the company.

RNID

Jobcentre Plus has the potential to play a major role in providing disabled people with financial assessments and employment information (although it should be noted that the 'New Deal for Welfare' Green Paper proposed a bigger role for private and voluntary sector organisations). All Jobcentre Plus staff should be

trained in disability issues, not as a one-off, but as a continuous programme to ensure consistency and to develop the organisation's capacity to provide for ever increasing diversity of need.

Disability organisations have anecdotal evidence that disabled people's experience of Jobcentre Plus is not always positive. Further work could usefully be undertaken to strengthen the support provided by Jobcentre Plus. Involving disabled people would help to show how support could be improved to meet their needs better.

There is much that Jobcentre Plus could do actively to promote the Access to Work scheme, both to disabled people and to employers, as awareness of it tends to be low. It is also important to ensure consistency north and south of the border in policy and delivery on employment support services, particularly Access to Work.

The work being done by Jobcentre Plus providing financial assessments and employment information to disabled people should be developed and strengthened.

Group 1

4.3 Community care

a) Choice and control

Community care, as the main means through which day-to-day support is delivered to disabled people, has a pivotal role to play in promoting independent living – or compounding disempowerment. If delivered inflexibly it can remove choice and control from disabled people, not just about who provides what support, when and how, but ultimately about how disabled people live their lives. To have choice and control over care and support services therefore has wider positive ramifications.

The Disability Equality Duty means that disabled people should be involved (not just consulted) in the development of strategy and priorities, decisions about how services overall are designed, and implementation policies.

4

subject areas

In order to ensure effective delivery of the public sector disability equality duty, disabled people should be engaged both proactively and effectively in the design and implementation of care and support services.

Group 4

It is imperative that wherever possible disabled people should be full partners in decisions about their own care and support package. To facilitate this, independent advocacy should be available to those who need it, communication support needs must be met and disabled people must have access to the information necessary to play a proactive role. However, it is important not to set the benchmark for involvement too high and end up excluding people who cannot act as full partners from having any say. The intention is, though, that the disabled person should have as much responsibility as possible for decision-making.

The disabled person should be a full partner in the decision-making processes of her/his care management. An independent and trained advocacy service should be available if required by the disabled person in order to facilitate this process.

Group 4

b) Research

In view of the fundamental importance of independent living and the key role care and support services can play in making it a reality, comprehensive research is required to make sure that it is having the desired outcomes.

Research on care and support services for disabled people should be reviewed and, where gaps are identified further, research should be commissioned, including participatory action research if appropriate.

Group 4

4.4 Health

a) Disentangling disability from ill-health

It is important to understand the sometimes complex relationship between disability and ill-health. According to the social model, disability is the consequence of social barriers. People who have impairments may experience ill-health and benefit from measures promoting good health – just like anyone else. Disability should therefore not be confused or conflated with ill-health. However, a person with chronic illness may also experience disabling social barriers. Some forms of impairment can have an adverse effect on stamina or can cause pain which limits activities, irrespective of illness or social adjustments – although adjustments can reduce the negative social impact of such limitations.

Equipment provided by the NHS can be necessary for individuals to overcome social barriers.

Although there have been extensive improvements to the built environment, this is of little use to people who cannot get out of their own homes. Following a petition to the Scottish Parliament, the Minister for Health and Community Care made a one-off award of £1.9m for the year 2005-06 to wheelchair services which helped reduce waiting lists. In addition the Minister commissioned an independent review of NHS Wheelchair Services in Scotland, which was to report to a steering group of stakeholders. Recommendations were made to the Minister by 31st March 2006 although the outcome is not yet known.

Scottish Disability Equality Forum

There has been some discussion about whether free prescriptions should be introduced, as has occurred in Wales. A particularly strong case can be made that people with chronic illness should receive free prescriptions. They are likely to be at risk of poverty due to restricted access to earned income. The additional cost of essential prescriptions can be a significant burden. The list of exemptions for chronic conditions has not been updated for years. A consultation exercise on prescription charging has recently ended.

4

subject areas

The Scottish Executive should give consideration to free prescriptions for people with chronic illness.

Group 4

A survey carried out by Capability Scotland in 2005 found that only 70% of disabled people or people with a medical condition or long-term illness who participated currently receive free prescriptions. Three-quarters (75%) of people on less than £100 per week get free prescriptions and 20% on between £100 and £200 per week currently do not receive them.

Capability Scotland

b) Disability and healthy working lives

Disabled people, as much as anyone else, have an interest in healthy work environments. It is therefore important that measures to promote healthy working lives are fully accessible to disabled employees and employers. While underlining the important fact that ill-health and disability can be completely unconnected, making adjustments to work places may be appropriate to both workers with a health condition and those with a disability.

In consultation with disabled people, the Scottish Centre for Healthy Working Lives should review its work to examine where it can play a role with regard to disability.

Group 1

c) Access to health services

Given the way health services tend to be structured, disabled people can find themselves narrowly defined by their impairment as if it is only in relation to this that they will need to access health services. Clearly this is far from the truth. Disabled people may need family planning services, cancer-screening services, inoculations before travelling – any general or specialist health-care service. All health services therefore need to be accessible to all disabled people, whatever their impairment.

The Disability Rights Commission has been working with the Scottish Executive Health Department and NHSScotland on the 'Fair for All' project. This aims "to encourage health practitioners and managers to strive for best practice that goes beyond compliance with the law and promotes the rights, independence, choice and inclusion of disabled people as health service users and members of the community" (for more information see <http://www.drc.org.uk/fair4all/>).

The 'Fair for All' project should continue to ensure that its work on the access needs of disabled people in relation to the NHS includes communication support needs of all types.

Group 3

4.5 Poverty

Although the Scottish Executive does not have powers when it comes to social security or employment policy, and both these are of critical importance to tackling poverty, there is still much it can do. As discussed, it can open up access to education and to employment, and thereby to earned income. It can also take action to reduce extra costs incurred by disabled people. For example, extra costs can arise because public transport isn't accessible, or because social barriers result in some disabled people spending a disproportionate amount of time at home, incurring additional heating costs. Sometimes disabled people require special diets, or a health-condition necessitates additional heating or frequent prescriptions.

The cost of bus travel in Scotland was removed in April 2006 for people over 60. However, disabled people who cannot access public transport must still pay the cost of community transport. Although this can be an excellent service, the charge discriminates against people with disabilities and adds to the overall cost of being disabled.

Scottish Disability Equality Forum

4

subject areas

In the wake of rapid rises to fuel costs, there is a particularly strong case for extending current fuel poverty programmes to include disabled people. The Scottish Executive runs a Central Heating programme and 'Warm Deal'. The first provides central heating systems and insulation measures in the private sector where the householder or partner is 60 or over and there is no system or one that is irreparably broken. Applicants over 80 can receive upgrades and replacement of partial or inefficient systems. The Warm Deal provides grant up to £500 for a package of insulation measures to all households in receipt of a range of benefits – including some, but not all, disability benefits. A smaller grant of £125 is available to pensioner households not on benefit.

The new programmes for 2006-08 were announced on 14th March 2006. Only pensioners are eligible for central heating – and they can now have upgrades and repairs done to inefficient or partial systems if they receive the guarantee element of Pension Credit.

The Scottish Executive should consider how best the fuel poverty schemes can cover disabled people, including families with disabled children.

Group 4

Research conducted by Capability Scotland in October 2005 (publication pending) shows that fuel poverty has not improved for disabled people since 2001. Research conducted then found that over 40% of participants were fuel poor – the same as in 2005. The research also found that 4% have no central heating, 12% have partial or full central heating that does not work properly and 40% of participants have a heating system that is over 10 years old.

A recent report estimated that a disabled person with high to medium needs requires £23.40 per week to meet fuel costs (Disabled People's Costs of Living – More than You Would Think; Smith, Middleton *et al*; JRF 2004).

Capability Scotland

5 what happens next?

The Disability Working Group's recommendations provide both an agenda for immediate action and a platform for the future. The process has drawn on the expertise of a variety of disability organisations, but there are many other organisations and many disabled people with views which still need to be heard. New issues will no doubt emerge and new recommendations will need to be made.

5

what happens next?

The mechanisms currently under development for engaging disabled people with Scottish Executive policymaking should enable more voices to be heard, more issues to be identified and more solutions to be found. Together, the DWG's report and the mechanisms for engagement provide the essential starting point – the policy content and policymaking infrastructure – from which to work towards the overall goal of full and equal citizenship for all disabled people.

It is vital that words are now transformed into deeds. Too often the momentum generated by intensive discussion evaporates when the time comes to act. Recommendations, no matter how positive, are not worth the paper they are written on if they never go further than the paper they are written on.

Once the Scottish Executive has had the chance to respond to the recommendations, it will be necessary to develop a work plan with the involvement of disabled people. The DWG went some way towards specifying what it will need to contain – who needs to do what and when, success measures and deadlines. It will be important to monitor, evaluate and publicly report on progress at regular intervals. This might fit well with the reporting requirements under the DED.

The implementation of the report of the Disability Working Group should be reviewed after two years and a progress report published.

Group 2

This report will be launched in late 2006 and disseminated widely. It will be published in various formats to maximise accessibility.

The work of the DNG has shown that opportunities are not equal, and what can and must be done to make them equal for disabled people. No doubt more will be added over time as barriers are removed and the voices of more disabled people are heard. However, for disabled people to participate fully in society first necessitates their participation in identifying the barriers to full participation! If disabled people are not seen or heard because of the many social barriers that exist, the existence of those barriers will never be identified. It is high time to break through this impasse, to identify and break and remove the barriers to full citizenship for disabled people. Only with the unswerving commitment of policymakers and the proactive involvement of disabled people can it be done.

Annex 1

Summary of Recommendations

Core Group

1. Baseline research should be conducted on disabled people's participation in the arts and sport – not just competitive sport but sports in general.
2. Copyright exemption should be extended to cover all those with a print disability.

Satellite Group 1

Employment

3. The Scottish Executive, the Enterprise Networks and the Disability Rights Commission should work together, in the context of their disability equality duty, to develop and promote a positive message to all employers about disability.
4. Disability organisations should work with the Scottish Executive and the Enterprise Networks to identify measures of success for employment of disabled people.
5. In consultation with disabled people the Scottish Centre for Healthy Working Lives should review its work to examine where it can play a role with regard to disability.
6. In developing links with business, Further and Higher Education Institutions and Careers Scotland should take on board the need to promote disabled people as employees.
7. The Scottish Executive's strategic group on ethnic minorities in the labour market should consider the needs of disabled people.
8. The Scottish Executive should investigate the effectiveness of regional resources for sign posting disabled people and employers to information, advice and advocacy on disability.

annex 1

9. The work being done by Jobcentre Plus providing financial assessments and employment information to disabled people should be developed and strengthened.
10. The Scottish Executive should develop quality standards for disability equality training and encourage wider take up amongst employers and employees of disability equality training.
11. The Enterprise Networks should consider establishing and maintaining a business award on disability.
12. Work should be undertaken to encourage positive attitudes to disability through a Scottish wide advertising campaign, which includes addressing attitudes to disabled people in employment.

Satellite Group 2

Public sector duty to promote disability equality; mainstreaming disability equality; corporate responsibility; engaging public authorities

13. A public authority's disability equality scheme should be the responsibility of everyone in the organisation; and leadership from senior management team will be essential.
14. There should be guidance for public authorities on consulting and engaging disabled people.
15. Research should be undertaken, in the context of the disability equality duty, to map the disability sector and understand the capacity of disability organisations to engage with public authorities, including collating of existing materials and databases.
16. Work should be undertaken to build the capacity of disabled people and support their involvement in the implementation of the disability equality duty.
17. The Scottish Executive should promote shared or joint approaches by public authorities to local or regional engagement and involvement of disabled people.

18. The Scottish Executive, audit and inspection bodies and the Disability Rights Commission should consider a framework for auditing of the disability equality duty.
19. The implementation of the report of the Disability Working Group should be reviewed after two years and a progress report published.

Satellite Group 3

Consultation and communication; education and training; citizenship and public attitudes

20. The Scottish Executive should develop practical guidance on inclusive communication and consultation; establish a website of good practice on consultation; develop and promote inclusive communication environments; and provide a gateway to existing sources of expertise.
21. The Scottish Executive should implement and promote the Scottish Accessible Information Forum standards.
22. The 'Fair for All' project should continue to ensure that its work on the access needs of disabled people in relation to the NHS includes communication support needs of all types.
23. Scottish Executive and public authority public information work should be fully accessible including to those with communication support needs.
24. The research on DET commissioned by the Equal Opportunities Committee needs to be assessed by disabled people, gaps and issues need to be identified and further research undertaken as necessary.
25. Standards and/or accreditation for disability equality training should be developed.
26. Disabled people should be encouraged to become disability equality trainers.

annex 1

27. Initial education and training and continuing professional development across the public sector should incorporate mandatory disability equality training, including on communication support needs.
28. HMIE should work in partnership with disabled people, including disabled children and young people, and disability organisations to develop indicators of good practice.
29. All disabled people should receive appropriate and adequate support and equipment throughout school, further and higher education and at all points of transition such as the transition from school to post school.
30. Further and higher education institutions should involve disabled people through student consultation panels and inspection bodies should monitor progress.
31. Disabled people should be encouraged to take up careers in the educational sector and retention of disabled employees should be encouraged.
32. The Scottish Executive, audit and inspection bodies and the Disability Rights Commission should consider developing a framework for auditing of the disability equality duty.
33. The Scottish Executive should lead by example and makes a clear statement of commitment to equality of opportunity for disabled people.
34. A campaign should be undertaken by the Scottish Executive to challenge negative attitudes towards disabled people and promote equality of opportunity.
35. The Scottish Executive should review and promote the use of materials used in schools on disability and citizenship; including reviewing the availability of, and access to, advice and guidance for young disabled people on what to do if they experience discrimination.

36. Accrediting bodies for the professions should include disability equality training.
37. Demonstrable knowledge and implementation of the DED should be a key competence within staff performance management in the public sector in Scotland.
38. Targets for disabled people in public appointments should be reviewed and the Scottish Executive should lead by example in promoting the public appointment of disabled people.

Satellite Group 4

Social inclusion; poverty; independent living; direct payments; care and support services

39. The Scottish Executive should agree and publish a set of principles, based on the social model of disability, that underpins the work of all departments. Such a set of principles will be developed in partnership with an advisory group of disabled people.
40. The Scottish Executive should consult disabled people to ascertain the best way to support independent living nationwide.
41. Research on care and support services for disabled people should be reviewed and where gaps are identified further research should be commissioned, including participatory action research if appropriate.
42. In order to ensure effective delivery of the public sector disability equality duty, disabled people should be engaged both proactively and effectively in the design and implementation of care and support services.
43. The disabled person should be a full partner in the decision-making processes of her/his care management. An independent and trained advocacy service should be available if required by the disabled person in order to facilitate this process.
44. The Scottish Executive should support independent advocacy services for disabled people nationwide, including independent peer advocacy.

annex 1

45. The participation by disabled people at all levels of public life should be promoted and resourced.
46. The Scottish Executive should give consideration to free prescriptions for people with chronic illness.
47. The Scottish Executive should consider how best the fuel poverty scheme can cover disabled people, including families with disabled children.
48. The Scottish Executive should undertake research to examine the information and advice needs of disabled people, the range of existing information provided and how access to information and advice might be improved.

Annex 2

Membership of the Disability Working Group

Core Group

Capability Scotland

Communication Impairment Action Group

Disability Rights Commission

Enable Scotland

Inclusion Scotland

Leonard Cheshire Scotland

RNIB Scotland

RNID Scotland

Scottish Association for Mental Health

Scottish Council on Deafness

Scottish Disability Equality Forum

Scottish Human Services Trust

Scottish Enterprise

Sense Scotland

Scottish Executive

Update

Sally Witcher, Independent Consultant

annex 2

Satellite Group 1

Disability Rights Commission
Communication Impairment Action Group
RNID Scotland (Chair)
Scottish Association for Mental Health
Scottish Council on Deafness
Scottish Disability Equality Forum
Scottish Enterprise
Sense Scotland
Scottish Executive

Satellite Group 2

Capability Scotland
Communication Impairment Action Group
Disability Rights Commission
NHS: Fair for All – Disability
Inclusion Scotland
Leonard Cheshire Scotland
RNID Scotland
Scottish Association for Mental Health
Scottish Human Services Trust
Sense Scotland
Scottish Executive (Chair)
Update
West Dunbartonshire Council

Satellite Group 3

Capability Scotland
Communication Impairment Action Group
Disability Rights Commission
Inclusion Scotland (Chair)
Scottish Accessible Information Forum
Scottish Council on Deafness
Sense Scotland
Scottish Executive
Update

Satellite Group 4

Barnardo's Scotland
Capability Scotland
Inclusion Scotland (Chair)
RNID Scotland
Scottish Association for Mental Health
Scottish Council on Deafness
Scottish Disability Equality Forum
Scottish Human Services Trust
Sense Scotland
Scottish Executive

If you require this publication in an alternative format and/or language please contact the Scottish Executive Equality Unit by any of the following methods:

Writing to: Scottish Executive Equality Unit
2G South, Victoria Quay
Edinburgh
EH6 6QQ

Telephone: 0131 244 7409
Fax: 0131 244 1824
E-mail: equality.unit@scotland.gsi.gov.uk



SCOTTISH EXECUTIVE

© Crown copyright 2006

This document is also available on the Scottish Executive website:
www.scotland.gov.uk

Astron B47554 10/06

Further copies are available from
Blackwell's Bookshop
53 South Bridge
Edinburgh
EH1 1YS

Telephone orders and enquiries
0131 622 8283 or 0131 622 8258

Fax orders
0131 557 8149

Email orders
business.edinburgh@blackwell.co.uk

