

PIW 28

National Assembly for Wales

Communities, Equality and Local Government Committee

Inquiry into: Poverty in Wales: Strand 1

Response from: Disability Wales

**Disability Wales/Anabledd Cymru
Communities, Equality and Local Government Committee
Inquiry into Poverty in Wales
Strand 1: Poverty and Inequality**

1. Introduction

1.1 Disability Wales/Anabledd Cymru is the national association of disabled people's organisations in Wales striving for the rights, equality and independence of all disabled people. Our core role is to reflect the views of our members to government with the aim of informing and influencing policy.

1.2 DW welcomes the opportunity to submit evidence to this important and timely Inquiry.

1.3 DW's Chief Executive Rhian Davies is the Disability Member on the Tackling Poverty External Advisory Group, appointed in April 2013

2. UN Convention on the Rights of Disabled People (UNCRDP)

2.1 The UNCRDP which was ratified by the UK Government in 2009 sets out the legal obligations on States to promote and protect the rights of disabled people. The following Articles are of particular relevance to the Committee's Inquiry:

Article 19: Right to live independently and be included in the community

Article 27: Right to earn a living through work that disabled people freely chose and in workplaces that are accessible and inclusive

Article 28: Right to adequate standard of living and social protection

3. Disabled People and Poverty in Wales

3.1 DW's report *Cap in Hand: the impact of Welfare Reform on disabled people in Wales* (The Bevan Foundation, 2013) outlined the context of disability related poverty in Wales:

- Wales has a higher proportion of disabled people than other nations and regions of the UK
- Disabled people in Wales are less likely to work than disabled people in other UK nations and regions (other than NE England and Northern Ireland)
- Disabled people are less likely to be in employment than non-disabled people. In 2012, across the UK 46% of working-age disabled people are in employment compared to 76% of work-age non-disabled people
- Disabled people in Wales earn less, on average, per hour than non-disabled people, with those who are working full-time earning 7% less than non-disabled people
- Disabled people in Wales are twice as likely as non-disabled people to live in a low income household
- Disabled people face a higher cost of living than non-disabled people, a cost which is rising year on year
- Cuts to local authorities spending and budgets will place considerable pressure on the level of resources they can dedicate to social care provisions for disabled people

3.2 Welsh Government's Framework for Action on Independent Living (2013) expands further on the connection between disability and low income:

- a third of low-income working-age adults without dependent children are either disabled themselves and/or have a disabled partner. Among those with dependent children, this proportion is a quarter.
- disabled people experience additional costs in most areas of everyday life, from major expenditure on equipment essential for independence, to ongoing higher expenses for food, clothing, utilities and recreation; such additional costs may be between 24% and 35% on top of normal expenditure.
- even when employed disabled people have median hourly earnings 20% lower for men and 12% lower for women. This 'disability employment penalty' has grown steadily over the last quarter century

with disabled people with low or no qualifications being particularly strongly affected.

3.3 To summarise disabled people face poverty whether in or out of work as a consequence of the combined impact of low income and high costs associated with lived experience of disability.

4. How effectively the Tackling Poverty Action Plan, Strategic Equality Plan and other government strategies work together

4.1 WG's Strategic Equality Plan includes the following equality objectives of relevance to this Inquiry:

- EO1: Strengthen advice, information and advocacy services to help people with protected characteristics understand and exercise their rights and make informed choices
- EO2: Work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences
- EO3: Reduce the numbers of young people not in education, employment or training
- EO5: Tackle barriers and support disabled people face so that they can live independently and exercise choice and control in their daily lives
- EO8: Create a more inclusive workplace that promotes equality of opportunity for staff with protected characteristics

4.2 Objectives 2, 3 and 8 have a focus on the role of employers and employment as a driver in tackling inequality and low income. EO1 is consistently identified by a wide range of stakeholders as fundamental to an informed and empowered citizenship. However such services are underthreat in the onslaught of public funding cuts and may be at further risk during the process of proposed Council mergers, if not sufficiently prioritised.

4.3 Objective 5 is expanded upon in the Framework For Action on Independent Living (2013) which outlines in greater detail Welsh Government's planned actions in tackling barriers to independent living. The Framework also demonstrates how Welsh Government seeks to fulfil its obligations under the UNCRDP as well as in supporting its plans to tackle poverty.

4.4 The aims of the Framework for Action are:

- To set out a positive vision for disabled people in Wales in the challenging context of recession and the UK Government's programme of welfare reform, combined with public expenditure cuts
- To challenge stereotypes and negative attitudes
- To bring together for the first time a strategic approach to disability in Wales bringing together issues that have previously been dealt with separately
- To set out what the WG is doing across portfolios to promote an inclusive and enabling society
- To highlight the key roles of local delivery partners and stakeholders

4.5 The overarching outcome of the Framework is 'an enabling society in which disabled children and adults enjoy the right to independent living and social inclusion'. To achieve progress in this, it outlines actions in the following areas identified as priorities following engagement with disabled people in Wales: access to information, advice and advocacy (which links to EO1); access to housing; control and choice in care and support; access to technology; access to public transport; access to the the built environment; increased employment rates (which links to equality objectives EO2, 3 and 8); and increase in disabled people's access to a Centre for Independent Living.

4.6 The Framework does not have an explicit aim to tackle poverty however it is focussed on addressing structural barriers in society that result in disabled people finding themselves in poverty. For example a Leonard Cheshire Disability Survey found that about half of respondents had turned down a job offer or interview due to lack of accessible transport and half stated that lack of transport had restricted their choice of job - for wheelchair users and visually impaired people these figures rose to 62% and 86% respectively. Thus in improving access to transport, disabled people's opportunities for employment are enhanced.

4.7 The Framework references the Tackling Poverty Action Plan however despite the fact that a third of adults living in poverty are disabled people there is little reference to this in the TPAP itself, let alone targeted action. The Framework is only referenced in relation to transport issues and there

are just three specific actions highlighted in tackling poverty amongst disabled people: the Blue Badge Scheme, free bus passes and the maximum weekly community care charge. These measures while valuable in themselves are unlikely to make any significant inroads to the scale of poverty experienced by disabled people in Wales.

4.8 Furthermore the emphasis in TPAP is on employment being the main route out of poverty coupled with a strategic focus on tackling poverty of place via the Communities First Programme. Not all disabled people are able to work and the evidence above demonstrates that even when they are in work, they are more likely to face in-work poverty. Moreover the disadvantage of a place-based strategy is that programmes are often not sufficiently targeted to address the barriers faced by people with particular characteristics including disabled people and while disabled people face high levels of poverty they do not necessarily all live in the poorest communities served by Communities First.

4.9 In summary, Welsh Government's flagship approach to tackling poverty does not fully recognise or address the needs and circumstances of one third of those for whom persistent poverty is a lived experience namely disabled people.

5. The impacts of poverty, particularly destitution and extreme poverty, on different groups of people

5.1 The impact of poverty on disabled people can be severe particularly when managing the effects of impairment requires a particular dietary regime, maintaining optimal room temperature and ensuring personal hygiene. Inability to afford a healthy and/or specialised diet, adequate heating and lighting and the costs of personal support can result in a deterioration of an individual's health and wellbeing as well as social isolation and limited social, educational and economic opportunities.

5.2 Research undertaken by the charity Contact a Family found there has been a sharp rise in the number of Welsh families with disabled children going without heating and food over the last 2 years.

5.3 More than 210 Welsh families responded to *Counting the Costs 2014 survey*. Of those surveyed:

- 39% going without heating (UP from 25% in 2012)
- 30% going without food (UP from 19% in 2012)
- 41% have taken out a loan
- 30% are worse off as a result of benefit changes – nearly half by £1560 a year
- 63% feel their financial situation will be worse in the next 12 months

The impact for those Welsh families going without and in debt is:

- 62% have experienced ill health as a result
- 21% say their child's health has worsened

5.4 Given the connection between poverty and disability, it is reasonable to assume that disabled people are disproportionately represented amongst those most at risk of destitution and extreme poverty including homeless people, modern slaves, refugees and asylum seekers and members of the Gypsy and Traveller community. More attention is required through research and targeted action on the specific needs and circumstances of disabled people within these groups and which interventions are most appropriate and effective.

6. How legislation, policy and budgets targeted at tackling poverty and reducing inequality are co-ordinated and prioritised across the Welsh Government

6.1 The Welsh Government aims to secure a fairer and more prosperous Wales and as such has highlighted Tackling Poverty as a key policy in its programme. This is reinforced by the appointment of a Minister for Communities and Tackling Poverty and for a one year period, a Deputy Minister for Tackling Poverty. The Minister's portfolio brings together both the equality and tackling poverty agenda which affords opportunities for a more joined up approach to both policy areas with the potential for greater synergy between the SEP and the TPAP.

6.2 The UK Government's decision not to implement the Socio-economic duty within the Equality Act (2010) is a lost opportunity particularly in Wales where this requirement would have maximised what has been achieved through the public sector equality duties and arguably could have given the TPAP more teeth.

6.3 Furthermore Welsh Government has introduced an ambitious programme of legislation which has an important bearing on this agenda including the Social Services and Wellbeing Wales Act (2014), the Housing Bill and the Wellbeing of Future Generations Bill.

6.4 The emphasis within the SSWWA on the transformation of social care including greater citizen voice and control, the requirement on local authorities to establish comprehensive provision on information, advice and assistance and the duty to promote co-operatives, social enterprises and user-led services have significant potential to tackle the underlying causes of both poverty and inequality. The Housing bill also includes a duty to address homelessness, whereas the Future Generations bill aims to secure a prosperous; resilient; healthier; more equal Wales; with cohesive communities.

6.5 Nevertheless each piece of legislation reflects the policy emphasis, language and terminology of the sponsoring department and further to the poverty and equality agenda there is greater scope to join them up and present a coherent whole.

7. Recommendations

7.1 Disability Wales offers the following recommendations to the Committee:

7.1.1 Welsh Ministers to exercise due regard for the UN Convention on the Rights of Disabled People and its full implementation across Welsh Government policy and legislation. The National Assembly for Wales and Welsh Government to use the UNCRPD as a tool to measure the effectiveness of policy and legislation in Wales. The National Assembly for Wales and Welsh Government to take appropriate steps to safeguard and promote the realization of rights set out in the Convention including in relation to poverty

7.1.2 Full implementation of the Framework for Action on Independent Living including its adoption by other public bodies such as local authorities as a means to addressing the structural barriers in society that result in disabled people's inequality including poverty

7.1.3 A review of the Tackling Poverty Action Plan and key programmes such as Communities First to incorporate actions that

specifically address poverty among people with protected characteristics including disabled people

7.1.4 A review of the range of employment programmes supported by Welsh Government re their effectiveness for supporting disabled people into work and the extent to which these complement and join up with DWP schemes including proposals in its Disability and Health Employment Strategy re personalisation.

7.1.5 To utilise the opportunity of further European Funding to establish innovative programmes that tackle economic inactivity among disabled people, involving disabled people's organisations in the planning, design and delivery of programmes and which learn from models of peer support that have proved effective in other areas

7.1.6 Prioritisation of the Equality Objective to strengthen information, advice and advocacy schemes as a key strategy in informing people of their rights and support and services available to them

7.1.7 Continuation of programmes to tackle Digital Exclusion as developed via Communities 2.0 including among disabled people as a tool to tackle poverty

7.1.8 Support for benefit take up campaigns including CHC's '*your benefits are changing*'

7.1.9 Review of Community Care Charging Policy to increase the buffer and disregards in the financial assessment to reduce the level of charges for community care recipients on the lowest incomes

8. Appendix

UN Convention on the Rights of Disabled People

Article 19: Right to live independently and be included in the community:

- a. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- b. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- c. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Article 27: Right to earn a living through work that disabled people freely chose and in workplaces that are accessible and inclusive:

- a. Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- b. Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
- c. Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
- d. Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- e. Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
- f. Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- g. Employ persons with disabilities in the public sector;
- h. Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- i. Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
- j. Promote the acquisition by persons with disabilities of work experience in the open labour market;

- k. Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

Article 28: Right to adequate standard of living and social protection:

- a. To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;
- b. To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;
- c. To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;
- d. To ensure access by persons with disabilities to public housing programmes;
- e. To ensure equal access by persons with disabilities to retirement benefits and programmes.

9. References

Cap in hand? The impact of Welfare Reform on disabled people in Wales (2013) Report by the Bevan Foundation for Disability Wales

Counting the Costs 2014: research into the finances of more than 3,500 families with disabled children across the UK; Contact a Family

Framework for Action on Independent Living (2013); Welsh Government

Working for Equality in Wales: Strategic Equality Plan and Objectives 2012-2016; Welsh Government 2012

Building Resilient Communities: Taking forward the Tackling Poverty Action Plan (2013); Welsh Government