

# **An Agenda for the 1990's**

## **Disability Manifesto**

Action For Blind People

Deaf Accord

Disability Alliance

Greater London Association of Disabled People

MENCAP

MIND

Muscular Dystrophy Group

National Federation of the Blind (UK)

Royal Association for Disability and Rehabilitation

Royal National Institute for the Blind

Royal National Institute for the Deaf

The Spastics Society

Spinal Injuries Association

# **Disability Manifesto**

## **An agenda for the 1990's**

In this document, the Disability Manifesto Group has set out a number of key recommendations which would enable disabled people to move significantly closer to exercising their full rights of citizenship. Members of the group are: Action For Blind People; Deaf Accord; Disability Alliance; Greater London Association of Disabled People; MENCAP; MIND; Muscular Dystrophy Group; National Federation of the Blind (UK); The Royal Association for Disability and Rehabilitation; Royal National Institute for the Blind; Royal National Institute for the Deaf; The Spastics Society and the Spinal Injuries Association.

The Group's proposals address some of the existing needs of over six million people with disabilities living in the United Kingdom. The type and severity of disability and hence level of need experienced by these individuals varies. In this manifesto, the word disability covers people with physical disabilities, people with a mental handicap or mental health problems, those with sensory disabilities (such as blind or partially sighted people and deaf or hearing impaired people), and those with disabilities linked to ageing.

It is not necessarily disability that handicaps a person, but the way in which they are treated by society. People with the same level of disability should be treated equitably and provision should be made for them regardless of race, gender and age. At present, nearly two thirds of those with disabilities are excluded from many schemes that could fundamentally improve their standard of living, simply because they are over sixty five.

All people should have equal rights, equality of income and participation, and be afforded equal respect and opportunities.

We acknowledge that all the recommendations contained in the manifesto cannot be implemented at once. Nevertheless, it is the hope of the Group that the needs and rights of people with disabilities are fully considered when formulating and implementing public policy across the whole spectrum. We

seek genuine commitment to such a programme which should result from consultation with disabled people and organizations that represent them.

## **Anti-discrimination legislation**

The difficulties experienced by disabled people often result from reinforcement of their disability by a society which discriminates against them. There is overwhelming evidence that disabled people face discrimination by employers and in many other aspects of their lives. The discrimination may be direct, such as the withholding of employment opportunities, or it may be indirect - barring a disabled person from inaccessible buildings or inadequate transport, or imposing conditions of employment – like participation in an insurance scheme - which a disabled person will be less able to fulfil.

Unlike those facing discrimination due to race or sex, disabled people who experience unfair discrimination have no redress.

Legislation has been introduced in other countries, for example in the USA. In the UK the Employment Select Committee in its First Report in session 1990-1991 recommended that anti-discrimination legislation was the right way forward. It called the Government to:

“... explore urgently the possibility of equal opportunity legislation for the employment of people with disabilities and report to Parliament on the potential effect and costs in the labour market.”

### **Recommendations**

- 1. Legislation should be enacted to combat unfair discrimination on the grounds of actual or perceived disability. Legislation would:
  - guarantee a basic human right for disabled people;
  - be a practical and effective way to eliminate unjustifiable discrimination;
  - provide a mechanism for monitoring the way in which society meets the needs of disabled people;

- send a positive message to society.
- 2. The legislation should cover:
  - employment and training
  - education
  - access to places used by the public
  - housing
  - transport
  - the facilitation of communication
  - the provision of goods, services and facilities.
- 3. An enforcement agency would identify instances of discrimination and work to eliminate them, review the working of the legislation, investigate complaints and conciliate.

## Disability Benefits

The range and extent of disability-related extra costs mean that people with disabilities require higher incomes than able-bodied people in order to enjoy the same living standards. Yet the 1988 – 1989 Office of Population Censuses and Surveys disability surveys show that the majority of people with disabilities have much lower incomes than able-bodied people.

Largely as a result of employment barriers, most disabled people depend on benefits. But the social security system is often discriminatory, complicated or inadequate.

Thus, benefit entitlement can be determined by age, type of disability, or

National Insurance contributions paid. The gap in weekly income from benefits of two people who are equally severely disabled can be as much as £247.95. Different types of benefit (eg: means tested, contributory/non contributory, universal), different assessment, adjudication and appeals procedures all add up to complexity and confusion. There are no benefits to meet the majority of disability-related extra costs (eg: for heating, special diets, communication needs, etc).

## **Recommendations**

A disability income scheme should include:

- i) Disablement Costs Allowance

A tax free, non means-tested benefit designed to cover the extra costs of disability. Based only on severity of disability, not the cause, type or origin of disability and paid regardless of age, sex, marital status, and employment status. Nor should it be included as income for means-tested benefits assessment.

- ii) Disablement Pension

Payable to anybody of working age who is unable to work because of a long-term sickness or disability. It would be non-contributory and non means-tested. Paid at the same level as retirement pension at a high enough level to avoid dependence on means-tested benefits.

- iii) Partial Capacity Benefit

There should be flexible provision for people who, although able to work, have a reduced work capacity because of their disability.

- iv) Provision for Carers

Both the disabled person and their carer should have their own independent income without recourse to means-tested benefits.

## **Community Care**

Disabled people have the right to lead their lives as full participants in their communities. Most disabled people already live in the community but are

frustrated in their aspiration to independent lives because support services are non-existent or not suitable to meet their needs.

If disabled people are to live in the community in its wider sense, then there must be a real choice between independent living and appropriately supported quality residential care.

## Recommendations

- 1. There should be a statutory duty for Health and Social Services to cooperate in assessing and providing services in the community.
- 2. The Disabled Persons (Services, Consultation and Representation) Act 1986 should be implemented in full. This would require disabled people or their representatives to be consulted when their community care needs are assessed.
- 3. Statutory Funding for residential care should be increased to meet the real costs.
- 4. The funds available for community care should be ringfenced to ensure they are spent in this area and not elsewhere. The high costs of meeting the needs of people with multiple disabilities, for example sensory disability and mental handicap, should be recognised and sufficient funds allocated for the specialist provision required.
- 5. The Independent Living Fund, which currently helps over 7,000 severely disabled people to live independently, should be made part of the social security system and payments given as of right.
- 6. Any new system of local government taxation should include relief for disabled people for adaptations to their homes undertaken because of their disability.
- 7. Disabled people should be provided with information in the appropriate format, either by braille, or tape etc, or through an advocate or interpreter.

# Health Services

A National Health Service should respond to all the health needs of the whole population. In general, disabled people will have the same health needs as the rest of the population. However, they may also have particular health needs arising from their disabilities.

It is estimated that 1 in 10 of the population is disabled. Disability can be due to genetic, hereditary or environmental factors or it can arise from events that occur before, during or immediately after birth or from accident, injury or disease. Disabled people may have physical, sensory or mental disabilities. Advances in medicine mean that many people with profound disabilities who previously would not have lived are now surviving into middle age.

## Recommendations

- 1. Disabled people should have access to the GP of their choice and be involved in planning their own health care programmes. Family Health Service Authorities should monitor GP practices to ensure that there is no denial of access to GPs or denial of health services because of budgetary constraints.
- 2. Disabled people should have the right without charge to the treatment, services, equipment and aids that are most appropriate to their individual needs and lifestyles and access to a co-ordinated rehabilitation service.
- 3. Practical advice and support should be available to families when their child is diagnosed with a disability and to individuals and their families when they become disabled through illness, accident or genetic condition.
- 4. Genetic counselling should be offered to all potentially affected parents to enable them to make an informed choice. If a genetic condition is identified, the individuals should be given practical and understandable information.
- 5. Health service buildings including surgeries should be accessible to people with mobility difficulties. Communication support services such as

sign language interpretation should be provided when necessary to enable patients and their families to participate fully in medical consultations.

- 6. Health professionals should have disability awareness training and this should include an understanding of mental handicap and mental health problems and sensory impairments. On-going, in service training for health professionals is important if they are to be up to date in their knowledge of disability, treatment, rehabilitation and prevention.
- 7. The emphasis of primary health care should be on prevention, ensuring all screening and diagnostic services are free at point of delivery including the restoration of unrestricted NHS sight tests.

## Education

Education legislation introduced during the 1980's has presented both challenges and threats to special education services. In recent years budget restrictions and the introduction of Local Management of Schools (LMS) have meant that the levels of staffing and resources available to children in mainstream schools are inadequate to enable successful integration to take place. This has undermined the implementation of the 1981 Education Act, with the Statementing Procedure becoming resource driven rather than needs led. It has also resulted in some disabled children being denied access to the National Curriculum. The assessment and support services for children under 5 are particularly inadequate and for students who want to go on to Further Education they are virtually non-existent.

## Recommendations

- 1. Children with special needs should have the right to an appropriate education in the setting which is correct for their needs and in line with their parents' choices.
- 2. Local Education Authorities should be allowed to retain central funding of Special Educational Needs (SEN) support services as a mandatory exception within the LMS formulae.

- 3. Co-operation between special and mainstream schools should be improved through increasing flexibility in the special schools budgets.
- 4. Statements of SENs should be expanded to include non-educational services (such as speech therapy), with local education authorities made responsible for ensuring that these services are provided.
- 5. The Appeal system should be changed to introduce an effective independent review structure, and the appeal procedure brought in line with the 1980 Education Act.
- 6. The extent to which children with SENs receive modified curricula or are exempted from subjects should be monitored. Such exemptions should be exceptions rather than the norm. The role of the Schools Inspectorate should be strengthened to ensure that accurate assessment is provided of the needs of children with different disabilities.
- 7. The system of Grants for Education Support and Training should be reviewed to increase the allocations for SEN training for all staff and to simplify the procedures of allocating these funds.
- 8. There should be more Child Development Centres and District Handicap Teams and the assessment and referral systems must be reviewed and improved.
- 9. There should be more nursery places for all children and greater support within these nurseries for children with SENs.
- 10. The assessment and statementing procedure should be extended to require LEAs to provide for the SENs of students throughout adult life where appropriate.
- 11. Funding arrangements for Further Education colleges should provide greater incentives for colleges to accept students with SENs.
- 12. The Disabled Students Allowance should cover all full-time and part-time students regardless of parental income, including students in Further Education.

- 13. More needs to be done for deaf children to ensure that teachers in nurseries and schools have an adequate level of skill in sign language, and the admission criteria for teacher training should be altered to enable teachers who are deaf or hard of hearing to qualify.

## Employment and Training

Employment is one of the most significant aspects of people's lives. Whilst much has been achieved by employment schemes such as Sheltered Placement Schemes and the provision of grants for aids and equipment, there is still more to be done to improve work opportunities for people with disabilities.

Lack of knowledge amongst employers about the quality and quantity of support services available is one factor which hinders the employment of disabled people. Unequal access to continuing education and training schemes is restricting the potential of disabled people who need training for skill development.

### Recommendations

- 1. Anti-discrimination legislation should be implemented to give disabled people equal opportunities in the jobs market.
- 2. The 3% quota system should be enhanced and strengthened. It should include fines for non-compliance which would contribute to a fund for employers to use to help provide access and aids for disabled people. This would stimulate people to register as disabled and provide positive help for employers to fulfill their quota.
- 3. Statutory rehabilitation leave should be provided for a person who becomes disabled whilst in work, to allow time for adjustment to the disability and for the provision of support and aids needed to enable him or her to remain in employment.
- 4. Support services such as communication aids, sign language interpreters, and co-workers are important for many disabled people to enable them to succeed in the work place. These services should be provided by central Government and be widely available on a consistent

basis at no cost to employers. Government funded equipment resource centres should be set up to give demonstrations and practical advice about what is available.

- 5. Equal access should be provided to continuing education and to Youth Training and other employment training schemes. Disability awareness training should be available to Personnel Officers to encourage positive attitudes towards disability in themselves and their company and the trainers themselves need training to become more aware of a disabled individual's needs. Careers counseling needs to be more realistic and practical. Training and Enterprise Councils must be adequately funded to promote employment opportunities and suitable training.
- 6. There should be a statutory duty on employers to comply with the Code of Good Practice on employment of disabled people drawn up by the Manpower Services Commission.
- 7. Long term commitment to funding for rehabilitation, training and employment is needed, including special schemes to ensure that specialist agencies can plan their services without a continued threat of withdrawal of support.
- 8. The Health and Safety Executive and Inspectorate should be adequately resourced to ensure that industry complies with existing safety standards and regulations such as those dealing with noise at work, eye protection and operational safety standards. Together with a strengthening of the regulations, this would assist in the avoidance of preventable disability.

## Housing

Disabled people should have a right to housing that is appropriate to their needs. Despite a policy move towards care in the community, the number of homes provided by local authorities to appropriate standards for disabled people has declined during the last decade. Department of the Environment figures at December 1990 show that they fell from 8,971 built in 1979, to 723 in 1990. As a percentage of the total housing built by local authorities and housing associations, the figure has dropped from 13% to under 5%.

## Recommendations

- 1. Central Government should provide local authorities with appropriate resources to meet their statutory obligation to provide suitable accommodation for disabled people.
- 2. Standards relating to accessible housing should be incorporated into building regulations and broadened to include facilities for people with sensory disabilities.
- 3. A significant proportion of all new housing stock built by local authorities and housing associations should be built to the recognized standards for accessible housing. This would enable people to have homes of their own with appropriate support rather than remain in hospital or depend on relatives far into adult life.
- 4. Refurbishment of housing stock by local authorities and housing associations should include the adaptation of premises to meet access standards.
- 5. The private sector should be encouraged to build accessible housing.
- 6. The Disabled Facilities Grant, which gives people financial support to adapt their homes, should not be means-tested.
- 7. Planning of housing should take into account the need for security accessible and affordable accommodation both in the general community and in sheltered housing schemes.
- 8. Housing statistics should identify provision made for all groups of disabled people, not just wheelchair users, so that housing provision can be properly matched to need.

## Public Transport

Access to public transport is crucial to the integration of disabled people into society. Without appropriate transport, opportunities in employment, leisure and other areas cannot be taken up.

Whilst progress has been made with the establishment of specialized transport services like Dial-a-Ride, it is widely recognized that such services would only meet the full transport needs of disabled people at disproportionate cost. It is estimated that 80% of people using specialized transport could use public transport if it were more accessible.\*

## Recommendations

- 1. Existing buses and trains should be made as accessible as possible and all new buses and trains should be made fully accessible to people with physical and sensory disabilities.
- 2. A long-term programme of improvements to under and over ground rail systems should be developed, which would include a planned approach to modernization of stations and rolling stock to include access for people with physical and sensory disabilities.
- 3. There should be an extension of services like Dial-a-Ride and the Taxicard scheme, which enables disabled people to use taxis and subsidized rates.
- 4. The planning of public and specialized transport services should be co-ordinated.
- 5. A co-ordinated national scheme for concessionary fares should be developed (at present this varies from local authority to local authority). Disabled people who need to be accompanied on public transport should be able to travel with their companion at no greater cost to themselves.
- 6. Public Information systems and pre-travel enquiry services at major transport centres should be made ore accessible to people with physical and sensory disabilities.

\* All Change report by the Greater London Association of Disabled People, 1986

## Leisure

Disabled people are often excluded from or given severely restricted access to viewing and participating in leisure pursuits, not only by physical or sensory barriers to venues or by lack of appropriate information, but often through oversight or ignorance. At present it is disturbingly rare for leisure providers to take account of the different needs of a wide range of disabled people.

## Recommendations

- 1. It should be a condition of public funding that arts and sports organizations provide premises and services which are fully accessible for participation and viewing by people with different disabilities.
- 2. Building based centres should ask their local disablement groups to survey their premises and review services to suggest possible improvements.
- 3. Sports and arts facilities should be encouraged to develop pricing policies which reflect the fact that disabled people often have lower incomes. People should not be penalized if they are obliged to occupy the most expensive seats as a result of their disability.
- 4. As inexperience is one of the key barriers to greater participation by disabled people, access to training in arts and sporting activities should be provided.
- 5. Staff at leisure and library facilities should receive disability awareness training.
- 6. Information about leisure facilities and special facilities for disabled people should be conveyed in appropriate forms.
- 7. Libraries should contain large print, Braille and audio tape, and British Sign Language video versions of books and publications. Local authorities should pay subscriptions to the Talking Book service to ensure that blind and partially sighted people have equivalent facilities.
- 8. Disabled people should have access to a wide range of television programmes by provision of services such as signing, audio description and subtitling. The selection of television programmes for subtitling should recognize the right of deaf and hard of hearing people to a diverse programming service. Every effort should be made by programme makers to consult disabled people when their lives or disabilities are portrayed to ensure that images of disability reflect the views of disabled people themselves. Disabled people should have access to television training opportunities.

## Access

Disabled people are barred from a whole range of opportunities throughout their lives, from employment to entertainment, from health to housing, from transport to training. Indeed, the very struggle to cast a vote is illustrative of the way disabled people are denied the right to take a full part in our democracy and our

society. Inaccessible polling stations or the lack of accessible information about how to a postal or proxy vote and the fact that people in long stay hospitals have to use a different procedure to vote are all barriers to full participation.

To be disabled can feel very much like living in a system of apartheid where only certain places or services are open to you.

Some of the measures that are needed to end the exclusion of disabled people will be expensive but others will not be. Sometimes exclusion is a result of prejudice alone. Sometimes participation is denied because of lack of aids: induction loops so useful to hearing aid users; ramps and lifts to make a building accessible to a wheelchair user; adequate lighting and clear colour contrast to help a partially sighted person make best use of their sight; tactile or audible features that help to guide a blind person. Sometimes services are needed, for example, sign language interpreters.

Access is not just physical. People with mental health problems or a mental handicap are often assumed not to be able to understand nor to make their own judgements and choices. Disabled people are often denied information because it is not presented in an appropriate form. It needs to be understood that English, whether written or spoken, is simply not accessible to many blind and/or deaf people as well as to those for whom English is a second language. New technologies offer the prospect of transcending old problems and obstacles.

## Recommendations

- 1. Anti-discrimination legislation would provide a framework of rights and a legal course of redress where access is unreasonably denied.
- 2. Information produced by statutory bodies such as benefit information, should be made available in a variety of accessible formats, such as Braille, large print, tape or videos in Sign Language.
- 3. Existing building regulations should be extended and implemented with penalties for their breach.
- 4. New technology should be developed and used more fully for the benefit of disabled people, for example, opening up access for individuals with disabilities to broadcasting and telecommunications with inventions such as telephone relay service for deaf people; or

electronic daily newspapers that can be sent to a home computer and read in Braille; or by telephone conferencing facilities to support people with mental health problems, such as agoraphobia.