

A Fairer Scotland for Disabled People

Summary

Scottish Government Delivery Plan for The United Nations Convention on the Rights of Persons with Disabilities

December 2016



**One
Scotland**
Scottish
Government

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Ministerial foreword



Over a million disabled people contribute to Scotland's communities and add talent, diversity and richness to our society. Yet so many people are still unable to make their contribution or live their lives as they would want because of the barriers in their way. Our homes, our transport, our workplaces, our public services and our local environments often exclude disabled people. Inaccessible communication, negative attitudes, low expectations, discrimination and inequality impact in ways which interact and affect the chances of disabled people – even to have social connections and human interaction. This can lead to isolation and loneliness.

So our job is to work together to remove those barriers. That is what this Delivery Plan is focused on doing. A fairer Scotland can only be realised when we secure equal rights for everyone.

We have high ambitions for the changes we believe are necessary. We are not starting from scratch, but we need to increase the pace and depth of change if there is to be a real transformation in the lives and experiences of disabled people. But we also know that the scale and extent of change necessary for real transformation in the experiences of disabled people will take action over this Parliamentary term and beyond.

Working with disabled people and the organisations that represent them, we have identified the specific actions we will take over the next five years to make significant progress towards the five longer-term ambitions.

The direct involvement of disabled people is essential as we implement these changes and we will continue our strong collaboration with early engagement around priorities and timing. As the First Minister said, 'we need to redouble our efforts to tackle inequality head-on, and ensure everyone has the chance to realise his or her full potential.'

A handwritten signature in black ink, appearing to read 'Jeane Freeman'.

Jeane Freeman,
Minister for Social Security

Foreword by Dr Jim Elder-Woodward OBE



The great Mahatma Gandhi once said:
'The future depends on what we do in the present.'

It is the case, for example, that the bright, rosy future depicted by the good intentions behind many pieces of domestic legislation and international conventions quite often play out very dimly in the day-to-day lives of many disabled people.

Whether or not the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) will be any different will depend upon what we do today. And by 'we,' I mean everyone involved in the lives and futures of disabled people, of all ages; be they politicians, civil servants, professionals, local government officers, carers (both formal and informal) and of course, we, disabled people, ourselves.

The Scottish Government has made a sterling start in preparing this Disability Delivery Plan. They have involved disabled people and their organisations in its development.

I am honoured to have been asked to write this Foreword and wish to thank everyone who has contributed to it for their hard work and commitment. But, to everyone charged to take this Delivery Plan forward, I urge you to remember Mahatma Gandhi, and turn it into a Plan which will deliver; for what good we do today, will transform the lives of disabled people tomorrow.

Dr Jim Elder-Woodward OBE
Independent Chair
Scottish Independent Living Coalition

'It is vital that action to make disabled people's human rights a reality is led by us, disabled people ourselves. Only we know first-hand what needs to be done.'

Dr Sally Witcher OBE
Chief Executive, Inclusion Scotland

Introduction

This Delivery Plan is part of our programme for a fairer Scotland. It has been shaped by the experiences of disabled people and the insights of disabled people and the organisations that represent them. It has been informed by the evidence and consultation on the draft disability delivery plan and by the Fairer Scotland conversations. It is built around five longer-term ambitions and a set of over 90 actions. This summary includes the main actions.

The Delivery Plan is based on the social model of disability. Unlike the medical model, where an individual is understood to be disabled by their impairment, the social model views disability as the relationship between the individual and society. In other words, it sees the barriers created by society, such as negative attitudes towards disabled people, and inaccessible buildings, transport and communication, as the cause of disadvantage and exclusion, rather than the impairment itself. The aim, then, is to remove the barriers that isolate, exclude and so disable the individual.

It is rooted firmly in the UNCRPD and in the aim of the independent living movement, which is that all disabled people are able and supported to live their lives with freedom, choice, control and dignity, participating equally alongside other citizens in their families, communities, workplaces and wider society.

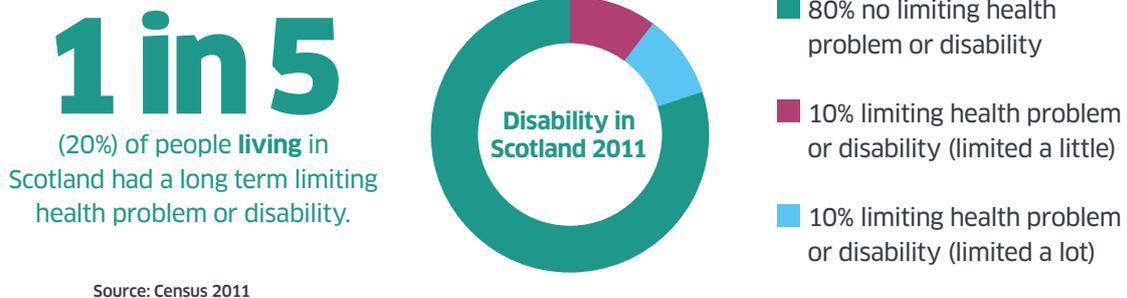
The Scottish Government also has a number of associated strategies related to specific populations. The Disability Delivery Plan sets the overall direction of travel for the Scottish Government over the lifetime of this Parliament.

The ambitions we all have for a future fairer Scotland need us to work together – public, private and third sectors with disabled people and the organisations that represent them and communities.

By using positive and empowering words we can change the way people see disability. Negative language carries many messages; it categorises, labels and stereotypes. If we are to achieve our aim of full equality and human rights for disabled people in Scotland, then we must take account of all disabled people, including disabled children and young people and older people. We also have to understand how other characteristics such as age, sex, race, religion, sexual orientation, transgender identity or being a Gypsy Traveller can impact on a disabled person's experiences and use this understanding to shape our actions. We must be aware of the particular issues affecting disabled people living in rural or island communities.

Opinions about identifying as ‘disabled’ can also vary between individuals or groups. For example, most deaf people who use British Sign Language identify themselves as a linguistic or cultural minority rather than as disabled people. However, they are covered under the provisions of equality legislation and the UNCRPD and so are included in the actions set out in this plan.

This Plan will drive transformational change to improve the lives of Deaf and disabled people in Scotland. Throughout the lifetime of this Plan, we will measure our progress in ways that ensure we are truly accountable to Scotland’s disabled people.



Five ambitions

This Plan is built around five key ambitions and a set of over 90 actions to be undertaken in this Parliamentary session. Only the main actions are included in this summary.

Our five ambitions

- 1. Support services that promote independent living, meet needs and work together to enable a life of choices, opportunities and participation.** Health and social care support services are designed to meet – and do meet – the individual needs and outcomes of disabled people.
- 2. Decent incomes and fairer working lives.** Making sure disabled people can enjoy full participation with an adequate income to participate in learning, in education, voluntary work or paid employment and retirement.
- 3. Places that are accessible to everyone.** Housing and transport and the wider environment are fully accessible to enable disabled people to participate as full and equal citizens.
- 4. Protected rights.** The rights of disabled people are fully protected and they receive fair treatment from justice systems at all times.
- 5. Active participation.** Disabled people can participate as active citizens in all aspects of daily and public life in Scotland.

‘The Scottish Government Disability Plan is much needed and the particular commitments around both establishing a strategy to tackle social isolation and loneliness and fund opportunities for disabled people to volunteer are backed by thousands: disabled people want to contribute and be part of our communities and yet we are not even able to be the main drivers of our own lives at times. We are frequently isolated and lonely with no great sense of meaning or purpose. I firmly believe that with the right support and connections, we can make our important contributions.’

Susan McGinley

Disabled person, Glasgow Disability Alliance (GDA) Drivers for Change

Key actions

OUR AMBITION: SUPPORT SERVICES THAT MEET DISABLED PEOPLE'S NEEDS

We are working with local authorities, providers, disabled people and other partners to deliver **reform to adult social care**. This will enable us to shift to **care that focuses on achieving independent living** for people who use social care services (action no 2).

We will continue to engage with disabled people and carers to develop a set of **outcomes for social care support in Scotland** (action no 3).

We will work with COSLA and disabled people to identify ways of **improving the portability of care packages** where a disabled person moves between local authority areas (action no 4).

We will launch **an Independent Living Fund scheme for new users** within the next year (action no 5).

We will **commence the Carers Act** on 1 April 2018 so that carers of disabled people and disabled people themselves will be better supported (action no 10).

We will publish the next **Mental Health Strategy** which will set out our **10-year vision** for transforming mental health in Scotland and we will continue our emphasis on improving access to mental health services. This will be underpinned by **an additional £150m for mental health services** over five years (action no 11 and action no 12).

We will review whether the **Mental Health (Care and Treatment) (Scotland) 2003 Act** should cover people with learning disabilities and Autism (action no 13).

We will work with disabled people to develop changes to the **Adults with Incapacity Act**, in relation to deprivation of liberty, by 2018 (action no 15).

We will review policies on **guardianship** and consider circumstances in which **supported decision making** can be promoted (action no 16).

Building on the **Scottish Strategy for Autism, and the Keys to Life Learning Disability Strategy** we will begin work early in 2017 to identify priorities for the next phase of implementation (action no 17 and action no 19).

We will develop and implement a **National Framework for Families with Disabled Children and Young People** to improve the outcomes of young disabled people and ensure they are getting the best provision and support possible (action no 22).

OUR AMBITION: DECENT INCOMES AND FAIRER WORKING LIVES

We will **reduce barriers to employment for disabled people and seek to reduce by at least half, the employment gap** between disabled people and the rest of the working age population (action no 28).

We will consult on setting targets to redress the disability employment gap in the public sector (action no 29).

We will pilot a **work experience scheme specifically for young disabled people aimed at improving their transition into permanent employment** (action no 30).

We will **explore opportunities to promote the Project SEARCH model** (enabling young people with learning disabilities and autism to secure sustainable employment) (action no 31).

We will **actively promote the Department for Work and Pensions' Access to Work scheme to employers and disabled people to ensure a higher uptake and use of the scheme in Scotland** (action no 32).

We will improve the employment prospects of disabled people, through newly devolved Scottish **employability programmes** (action no 34).

Disabled young people will be supported through the **Youth Employment Strategy: Developing Young Workforce** (action no 35).

‘As an equal opportunity employer we welcome applications from disabled people as our workforce should be a reflection of the diverse range of customers we serve. We have always found that our disabled employees add as much value as any of our employees and by making a few practical adjustments can easily accommodate any specific needs they may have.’

Anna West
HR Manager, CMS Windows Ltd

We will **remove the barriers that have previously prevented young disabled people entering Modern Apprenticeships** (MA) (action no 36).

We will **provide young disabled people with the highest level of Modern Apprenticeship funding** for their chosen MA Framework **until the age of 30** (action no 37).

We will deliver a **disability internship programme**, providing disabled people with 120 employment opportunities in the third and public sectors and in politics, over the period 2017-2021 (action no 39).

In December 2016, **we will publish a 10-year Social Enterprise Strategy** which will provide a framework for action planning in 2017. In the first plan we will agree measures to **stimulate pre-start activity, increasing the number of disabled social entrepreneurs** (action no 45).

We will provide funding during the current parliamentary session to **enable more disabled people to volunteer** and increase the numbers of disabled people taking up volunteering opportunities (action no 47).

We will hold a **major congress on Disability, Employment and the Workplace** during 2017 (action no 49).

With our new powers we will establish a **social security system** that treats people with dignity and respect while applying for, being assessed for, and receiving disability benefits and appealing decisions (action no 50).

We will **provide information on benefits in a range of accessible formats** so that **disabled people are not disadvantaged by communication barriers** (action no 53).

We will use our new powers under the Scotland Act to effectively **abolish the bedroom tax** (action no 56).

We will extend **winter fuel payments** to families with severely disabled children by 2020 (action no 57)

We will **increase Carer's Allowance** so that it is paid at the same level as Jobseeker's Allowance (action no 58). We are also committed to **increasing Carer's Allowance for those looking after more than one disabled child** (action no 59).

'Social security is a hand up – not a hand out. It should provide the basis from which we can all participate and contribute to society but when you're treated like a scrounger and benefit cheat, it knocks your confidence and wears away your self-esteem. Disability hate crime has sky-rocketed in the last few years, as we've been stigmatised and demonised by UK politicians and much of the media. This Disability Plan, together with the new social security system is a chance to put right some of the wrongs and treat people better.'

Chris Baird

Disabled person, member and campaigner, Purple Poncho Players

OUR AMBITION: PLACES THAT ARE ACCESSIBLE TO EVERYONE

We will work with local authorities, disabled people, and other stakeholders to ensure that each local authority sets a realistic target within its Local Housing Strategy for the delivery of **wheelchair accessible housing** (action no 62).

'Accessible housing is the cornerstone of independent living. Without an accessible home, it's clearly impossible for many disabled and older people to live as equal citizens – to work, to play, to have relationships, to be active members of our communities and all that follows from that: in other words to do all the things non-disabled people take for granted.'

Etienne d'Aboville
Chief Executive, Glasgow Centre for Inclusive Living

We will develop guidance for housing and care providers on **timescales for installing adaptations** (action no 65).

Through our **Accessible Travel Framework** (action no 66), we will:

- develop our **Accessible Travel Hub**;
- scope requirements for **training** with disabled people and transport providers/operators including covering hidden impairments and ways of communicating, including basic BSL phrases;
- specify and agree **common standards of service for disabled people** if their public transport journeys are disrupted; and
- produce information about **bus layout designs which improve accessibility**, identifying specific changes and how they benefit people with different impairments.

We will consult on **improving parking** and will take forward legislation setting out how local authorities implement and enforce parking, including disabled parking spaces (action no 67).

‘Accessible Transport is vital to disabled people being able to enjoy their rights as citizens of a fair society.’

Morven Brooks
CEO, Scottish Disability Equality Forum

We will improve **physical and online access to the historic environment and collections** by 2019 so that more disabled people can enjoy their heritage (action no 69).

Disabled people’s participation at all levels of sport and physical activity will increase through an action plan developed in partnership with disabled people by 2019 (action no 72).

Rural and island communities

We know that some of the barriers that impact on disabled people’s lives are heightened in rural areas. Many of the actions in this plan will make a difference in rural as well as urban Scotland.

We have consulted specifically with the relevant local authorities across Scotland with responsibility for island communities to identify any potential negative impact from the plan, and will continue to review this as we move forward with implementation.

We will deliver a workshop with Local Action Groups through the Scottish Rural Network to develop and stimulate new ideas for improving the life chances of disabled people in rural areas (action no 75).

OUR AMBITION: PROTECTED RIGHTS

Fees for **employment tribunals** will be abolished, when we are clear on how the transfer of powers and responsibilities will work (action no 76).

We will **work with disabled people’s organisations and Police Scotland to encourage greater reporting of disability hate crimes** (action no 77).

We will identify **negative impacts on disabled people of the current legal aid framework** and develop options for change (action no 80).

Our criminal justice organisations will publish their most important pieces of information – including case information for victims and witnesses – in **accessible formats** (action no 81).

‘We firmly believe that the consistent adoption of ‘inclusive communications’ in all aspects of our lives can be transformative for everyone involved. It is key to liberating and embracing the talents and contribution of disabled people in Scotland while also challenging and changing the attitudes of non-disabled people.’

Andy Kerr
CEO, Sense Scotland

We will carry out site audits of criminal justice buildings to identify any **physical access barriers that need to be removed** (action no 82).

We will support specialist expertise in **disability discrimination law** in Scotland (action no 83).

The Scottish Fire and Rescue Service (SFRS) will focus preventative activities on disabled people (action no 84).

OUR AMBITION: ACTIVE PARTICIPATION

Disabled people can participate as active citizens in all aspects of daily and public life in Scotland.

We are determined to increase representation of disabled people in our democratic institutions. We will continue the **Access To Elected Office Fund (Scotland) to meet the additional costs of disabled people** who wish to stand for selection or election to the Scottish Parliamentary in 2021 (action no 85).

Our **current record level of investment** in supporting the capacity of disabled people's organisations will be maintained during the lifetime of this parliament. Through this programme of work, we will explore how disability impacts **different equality groups** (action no 86).

We will develop a strategy to tackle **social isolation and loneliness**, which seeks to tackle the specific barriers to developing social and community connections that disabled people face (action no 88).

We will actively promote a new **Inclusive Communication** hub across the public sector, providing advice and practical assistance (action no 89).

We will produce the first ever **National Action Plan on British Sign Language** in October 2017, which will improve access to information and services for our citizens whose first or preferred language is BSL (action no 91).

'The passing of the BSL (Scotland) Act will lead to the creation of the first BSL National Plan so that the Deaf community in Scotland will be seen as active citizens in Scotland. With BSL, we are equal and valued citizens in wider society in Scotland.'

Avril Hepner
British Deaf Association Scotland

We will highlight the barriers to inclusion that disabled people face, with a particular focus on employment, in the next phase of the **One Scotland Campaign** (action no 92).

We will **improve the diversity of Scotland's boardrooms**, using outreach activity to encourage disabled people to apply for public appointments (action no 93).

Measuring progress

We will host a roundtable discussion early in 2017 with disabled people and the organisations that represent them to identify our first priorities for action and our timescales.

We will report on progress through:

- a) the UN Committee for the Rights of Persons with Disabilities for the periodic examination of the UK in 2017;
- b) the Fairer Scotland progress report to be published in 2019; and
- c) the Mainstreaming Equality Report also due for publication in 2019.

We will ensure that there is opportunity for disabled people to hold us to account on progress with this Plan by:

- Establishing **disabled people's panels** covering each of the ambitions in early 2017.
- A **survey of disabled people** in mid-2018 to gather evidence of the impact of our actions.
- **Annual Disability Summits**, to look at progress.
- A **Major Disability Summit** to be held in 2020 which will look ahead to the next parliamentary session.
- The panels, survey and results of the Disability Summit will feed into a **progress report** to be laid before Parliament in early 2021 to determine where we need to focus our efforts in the 2021-2026 parliamentary session.

We will work closely with disabled people and the organisations that represent them to develop the detail of our approach to measuring progress.

'In recognising the importance of promoting equality for all and in particular for those who face daily discrimination due to disability, South Lanarkshire Council has taken the step of creating a spokesperson for disabled people. This elected member role ensures that consideration of the views and needs of those facing some of the greatest challenges in our communities is at the heart of our decision making process.'

Councillor Gerry Convery

South Lanarkshire Council spokesperson for disabled people and Chair of Finance and Corporate Resources Committee

Work already underway

2016 is the 20th anniversary of the Disability Discrimination Act and marks 10 years since the UK adopted the UNCRPD. This Delivery Plan is rooted in the UNCRPD and recognises that the human rights of disabled people must underpin all of our activity across the whole range of policy and legislation which affects disabled people.

We have made progress since these landmark events, and this Delivery Plan builds on the firm foundations of work already underway. The Delivery Plan also provides the connection between these different areas of work and establishes the overarching ambitions of our work on disability issues and our use of the social model of disability.

The actions set out in this Delivery Plan are complementary to the many other programmes of work already underway which have a positive impact on disabled people. In some cases there is potential for these programmes to do more or work differently, so that they better meet the needs of disabled people and we will look for opportunities to make these changes.

So while there is much more we need to do in the current parliamentary term and beyond to create a fairer Scotland for disabled people across Scotland, we are building on firm foundations. Our ambitions are long term but the actions here that we will take forward, together with the wide range of existing work, will make a real difference. We will continue to work with disabled people to ensure they hold us to account.

'We've still got a long way to go in terms of achieving full equality for disabled people but let me tell you, having lived through the past decades with my disability and witnessing how far we've come so far, I couldn't be prouder to call Scotland my home and I'm full of hope for the next generation.'

Jen Robertson
Disabled person, Ayr



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78652-649-6 (web only)

Published by The Scottish Government, December 2016

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS84447 (12/16)

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