

Equal Opportunities Committee

Date	Wednesday, 31 st October 2001
Time	9.30am
Venue	Committee room 3, National Assembly for Wales

POSITIVE ABOUT DISABILITY

Positive About Disability

Foreword by Edwina Hart AM,

At the meeting of the Equality of Opportunity Committee on 13th June Committee members were presented with a paper to note detailing the recommendations of the Disability Rights Task Force together with action taken by the Assembly which impacted on those recommendations. I asked for the Committee to receive further information detailing the full range of Assembly policy directly linked to disability issues, and I am pleased to present this information within the following pages.

The paper will assist the Committee in its role of ensuring that the Assembly achieves its goal to carry out its business with due regard to the principle that there should be equality of opportunity for all people.

Positive About Disability is a very appropriate title for the paper reflecting as it does the approach taken by the Assembly towards disabled people and the genuine commitment to eradicate barriers which prevent disabled people from taking a full role in society.

Recent developments in anti discrimination legislation, equal opportunity policies and programmes of positive action have arisen because it is now more widely recognised that disabled people are unnecessarily prevented from taking part in a range of activities which are accessible to non disabled people.

Much has been done to tackle such barriers. However, traditional preconceptions still prevail and the Assembly must go beyond minimum expected standards. The Assembly must be seen as exemplary in seeking meaningful dialogue with disabled people to help shape future policy and in taking action to break down barriers which prevent disabled people from participating fully in society and reaching their full potential.

This paper sets the benchmark for the Assembly's approach to disability. I expect all parts of the Assembly to evaluate and build on the achievements already made and look forward to seeing how policy evolves over the next 12 months.

I welcome comments regarding this paper and would particularly be interested in thoughts on how the Assembly can go further in empowering disabled people in Wales.

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Introduction

The National Assembly has adopted equal opportunities as one of its three major guiding themes. It will seek to promote a culture in which diversity is valued and equality of opportunity is a reality.

This paper seeks to explore policy developed by the Assembly, which has a specific impact on disabled people, and to identify issues that should shape future policy.

In preparing this paper we have endeavoured to cover policy across the Assembly. Our aim has been to show how the needs of disabled people have been specifically reflected in the policy developed by the Assembly. Additionally we hope to use the paper as a reference to seek views as to how future policy can further ensure that disabled people in Wales are able to take a full role in society.

In 1999 the Disability Rights Task Force published a final report containing 156 recommendations affecting disabled people in all walks of life. Work taken forward by the Assembly in implementing recommendations falling on devolved areas, was identified in a paper to note for the Equality of Opportunity Committee in June 2001. Positive about Disability will provide an update on the work identified in the paper to note, and go further in identifying additional issues such as accessibility by disabled people to the Assembly as an employer.

The latest disability briefing issued by the Disability Rights Commission, suggests that there are 404,000 disabled people of working age in Wales, at 23% of the working age population, this represents one of the highest percentages in Great Britain. It is good sense to seek the involvement of disabled people in policy development.

In the past thirty years, the civil rights movement, led by disabled people, has embraced the social model of disability which has underpinned significant organisational development of disabled people, and been adopted by disabled academics in the courses that they have managed to influence. In addition it has provided a theoretical rationale for setting up services managed by disabled people, influenced

government policy for direct payments to disabled people and strengthened the campaign for entrenched civil rights. (*Finkelstein, V. (1999) Disability; "An Administrative Challenge" In M Oliver , 'Social Work, Disabled People and Disabling Environments' Jessica Kingsley Publishers*)

This is in direct variance to the medical model of disability, as defined within the 'National Assistance Act 1948' as: *those people*;

Over 18 years of age who is: blind; deaf or dumb; have a

mental disorder or are substantially and permanently

handicapped by illness, injury or congenital deformity or

other such disability as may be prescribed.

The social model of disability is not about physical, sensory, or learning impairments, or mental health issues. It argues that disability is about the exclusion of certain people from social, economic, cultural, and political activities because those responsible for designing facilities and arranging activities have not acknowledged personal requirements resulting from impairment. This focuses on the barriers (attitudinal, environmental and organisational) which prevent disabled people from having equality of opportunity in employment, education, housing, transport, leisure activities etc.

The Disability Discrimination Act attempts to go some way to underpin the social /civil rights model. Whilst the Act is not the fully inclusive civil rights legislation that disabled people campaigned for, it does represent an important landmark. As a result service providers should view disabled people as equal citizens and, in planning policy or service delivery, consider how access by everyone can be assured. This is an important consideration for the Assembly to take forward in the development of its own policy,

Disabled people and those organisations representing their interests have welcomed the open approach adopted by the Assembly. Perhaps for the first time, disabled people in Wales feel that there is a genuine desire from policy makers to create a Wales which will provide the opportunities for disabled people to fulfil a full role in society. Doors have been opened allowing effective two way communication and it is important that such dialogue is used to inform future policy across the Assembly. Policy Divisions within the Assembly should be mindful of the fact that disabled people need to be involved in consultation regarding all policy and issues, not just those which are specific to disability. The distribution and format of all information and the co-ordination of public meetings must take account of access by disabled people.

In preparing the paper, the Equality Policy Unit, has endeavoured to cover the full span of Assembly

policy, liaising with each Group within the Assembly regarding policy in their particular area. The unit has also consulted with the Disability Rights Commission during the completion of the paper. It is hoped that organisations representing the interests of disabled people will consider the information contained within the paper and put forward their views as to additional policy that they would wish to see the Assembly take forward.

1. The Equality Policy Unit

The establishment of the Equality Policy Unit is a visible demonstration that the Assembly has a firm commitment to the equality of opportunity for all under represented groups.

Central to the Assembly's equality agenda, the unit's role is to take forward and promote equality within the National Assembly in a coherent and consistent manner, ensuring that equality is central to all policy development and is visible in the services delivered as a result of Assembly policy. Objectives of the unit are:

- To act as a catalyst for, and a promoter of change
- To provide a centre of expertise and advice on best practice
- To maintain dialogue with organisations representing minority and disadvantaged groups
- To assist and support the work of the Equality of Opportunity committee.

The unit acts as a general resource centre for all officials and provides general policy guidance and advice on equality issues.

Within the unit a small team has been established to deal specifically with disability issues. The team provides advice and guidance on disability issues including the Disability Discrimination Act and the Disability Rights Task Force Report. The team has developed effective working relationships with both the Disability Rights Commission and organisations representing the interests of disabled people and represents the Assembly at the inter departmental group on disability chaired by the Department for Work and Pensions.

The team has produced the 'Good Practice Guidelines on Producing Accessible Information', a copy of which is provided as an annex to this paper. The guidelines will ensure that Assembly information is accessible to disabled people, either through the use of minimum print standards or through the provision of the information in alternative formats.

Through the 'Promoting Equality in Wales Grant Funding' a variety of projects designed to facilitate consultation, between the Assembly and voluntary organisations that act for under-represented groups, have been granted. Disability Wales, the umbrella organisation for disability groups in Wales, to develop and take forward an effective mechanism to allow disabled people to contribute towards the development of policy across the Assembly.

RNIB to produce training materials for a Welsh Braille instruction course.

On December 3rd the Assembly will be host to a delegation of young disabled people. This event will mark the International Day of Disabled People and provide the opportunity for young disabled people from across Wales to raise issues of concern.

Future developments which the unit are planning to take forward include:

An investigation of the experiences of disabled people as a group and also in relation to the specific experiences of groups of people such as people with learning difficulties or with sensory impairment;

A research project, in partnership with the University of Wales Swansea, into the incidence of disability in Wales. This project will provide useful information for the Assembly and may assist in planning services in the future. The Disability Rights Commission has worked with the Strathclyde Centre for Disability Research, to prepare a baseline study on disability in Scotland, an executive summary is provided as an annex to this paper. The Assembly may wish to approach the Commission to undertake similar work in Wales.

Research into the extent of homelessness of people with mental illness, specifically within the population of black/minority ethnic peoples.

The Assembly has also received a project proposal which will research existing work on dyslexia amongst employed adults, and undertake testing and further training amongst a sample of employees from various occupational sectors.

Article 13:

The Equality Policy Unit is liaising with officials in the Department of Work and Pensions, the DTI and the Wales Office over implementation of the EU Employment Directive. This Directive, which is part of a package of measures under Article 13 of the Treaty of Amsterdam, aims to combat direct and indirect discrimination on the grounds of religion or belief, disability, age or sexual orientation. Although the area of employment law has not been devolved, certain areas covered by the Directive (especially vocational training and guidance) have been devolved to the Assembly. The disability provisions of the Employment Directive need to be transposed into UK law by December 2006. Most of the changes that will be needed have already been anticipated by the Disability Rights Taskforce. It is probable that the UK Government will issue a consultation paper on the Article 13 Employment Directive before the end of the year.

1. **The National Assembly as an Employer**

The National Assembly is committed to the promotion of equal opportunities in its capacity as an employer. It seeks to create an understanding and trusting culture in which all employees will thrive and be able to fulfil their true potential.

This paper considers three key elements which are instrumental to fulfilling this commitment with regard to disabled people, **Recruitment**, **Access to Premises**, and **Retention and Development** of staff who class themselves as disabled.

i. **Recruitment**

The National Assembly for Wales has been awarded the "Two Ticks" symbol by the Department for Work and Pensions which indicates that it is positive about disability. To qualify to use the symbol the Assembly had to meet five commitments as follows:

- To interview all applicants with a disability who meet the minimum criteria for a job vacancy and

consider them on their abilities;

- To consult staff who have a disability at least once a year to determine their needs;
- To make every effort to retain employees who become disabled to stay in employment;
- To develop the general level of awareness of disability;
- To review these commitments each year and advise all staff about progress and future plans.

The "Two Ticks" symbol appears on all Assembly job advertisements and recruitment literature. The format of job adverts has recently been revised so that the basic details of job title, location and salary and a strap line indicating that a larger print version of the advert is available are printed in 14 font. The

rest of the advert appears in 10 font. These arrangements are in line with the 'Good Practice Guidelines on Producing Accessible Information', developed in consultation with the Disability Rights Commission and RNIB Cymru.

For the open recruitment exercises commencing in autumn 2001, arrangements are being made for application forms to be available in alternative formats such as large print or audio tape. Job applicants are asked to indicate on their application form whether they have a disability. This features on a section of the form to be detached and retained by the Assembly Recruitment and Selection team for confidentiality purposes. Provided that the individual meets the minimum criteria for the post in question, they are guaranteed an interview.

If an applicant indicates that they have a disability and they meet the criteria, they are contacted to find out whether any adjustments or support are required at the interview stage to assist them in this process. If it is proposed to use an assessment centre as part of the recruitment process, appropriate arrangements will be made to ensure that the candidate is treated on an equitable basis throughout this process. When required, arrangements are made so that the interview accommodation to be used is accessible to those with particular impairments.

i. Access to premises

It is important that the Assembly's premises provide ease of access to disabled people whether they be employees or members of the public.

While all of our principal buildings are considered to be accessible to disabled people, we are working toward the Disability Discrimination Act requirements from October 2004 in respect of any further building adjustments that may be required to the remainder of the estate. In the meantime, any new property acquisitions, fit out works or alterations to existing buildings are designed to reflect the Assembly's aim of equal access and functionality for all. In particular the design of the new reception area in Cathays Park has been developed in consultation with Disability Wales and members of the access committee for Wales.

Prior to the adoption of Crickhowell House as the Assembly Building, the Joint Mobility Unit

was commissioned to undertake an access audit of the building. Recommendations from the audit were implemented to ensure that the building was accessible to disabled people. An access audit of the Assembly building in Cathays Park will take place in the near future.

ii. Retention and Development

The National Assembly undertakes regular surveys to ascertain the numbers of disabled people it employs. The survey undertaken this year was developed with the assistance of the Disability Rights Commission. In addition to indicating how effective the recruitment programme has been in enabling disabled people to gain employment within the Assembly, the survey also allows us to be more proactive in the provision of equipment and support for disabled employees.

The latest survey indicates that the Assembly has 165 staff who consider themselves as having a disability, this represents 4.5% of the workforce and compares with the latest civil service figures which indicate an overall figure of 3.7% disabled employees. However, whilst the Assembly has achieved positive results in employing disabled people, there is more that can be done. The Assembly will be working with the Disability Rights Commission to further improve its recruitment practice and to work towards a workforce which reflects the incidences of disabled people of working age amongst the population of Wales.

The Assembly is committed to making all reasonable adjustments to assist employees who become disabled to remain in employment. Voice activated software is currently being evaluated and could benefit certain groups of employee.

To assist the Assembly meet the needs of disabled members of staff, support is provided to a discussion forum for disabled staff. The meetings provide the opportunity for staff to receive information from guest speakers and to channel concerns to the Assembly's Equal Opportunities Team. Further work is required to encourage wider participation in the group and to strengthen its influence.

The 2001 pay audit undertaken by the Assembly, reveals that within most pay bands, disabled staff appear to have a higher average pay. For example at pay band C, the average pay for all Assembly staff is £16,211 per annum, but for disabled staff, of which there were 25 recorded within the band, the average pay was £17,009 per annum. One possible cause for this could be that disabled staff are spending longer within a pay band, that is, are taking longer to progress to the next band upon promotion. This an area where further investigation is required and the Assembly will be taking this forward as a matter of priority.

3. Access to the Assembly and its information.

If the Assembly is to succeed in its wish to bring open government to Wales and to include the people of Wales in policy development, then it is important that both the Assembly and its information is accessible to the Welsh population.

i. Physical Access.

As previously highlighted in the section looking at the Assembly as an employer, all of the Assembly's principal premises are considered to be accessible to disabled people. Work is planned to ensure that the remainder of the estate meets the October 2004 requirements of the Disability Discrimination Act. Work is currently underway to upgrade the reception area in Cathays Park, and to extend the introduction of automatic doors in Cathays Park.

ii. New Assembly Building.

The Assembly has given a very clear commitment that the Assembly Building will provide good access and facilities for all, including people with disabilities.

Disability interest groups were consulted and engaged in discussions with Assembly officials and the Architect regarding the proposals for the building throughout the design process. The Architect responded to initial concerns raised by Assembly Members and came forward with proposals that addressed the need for improved access to the building without compromising the original concept design. These proposals involved: (i) reducing the number of steps at the front of the building, through gradient changes; (ii) introduction of external lifts; and (iii) providing for the public to be at the same level throughout the building. These improvements demonstrate the Assembly's commitment to accessibility and show that the democratic views of interested parties were received and acted upon.

This commitment to delivering accessibility is further demonstrated by the appointment of an independent access adviser (Buro Happold) to inform the work on accessibility. Buro Happold have been working closely with the Design Team to help ensure that the needs of people with disabilities are taken into account in all aspects of the building.

The Access Adviser chairs an Access Advisory Group which is made up of representatives of the Disability Sector in Wales. Disability Wales and the Disability Rights Commission are represented on the Group. It is envisaged that the Group will assist the Assembly throughout the design and construction phases of the project to deliver a fully accessible building.

The Access Advisory Group has requested a number of features to be included in the building to help it achieve exemplar status. This includes the use of handrails on the ramps on the approach

to the building, visual alarm systems and electronic way finding systems. These will be considered as part of the detailed requirements of the building.

Following the termination of the contract between Richard Rogers Partnership and the Assembly, an Official Journal of the European Community, advertisement has been placed to seek bids from developers to complete the current design and to construct the building. Once tenders have been received and reviewed, the Assembly will decide whether and how to proceed. The commitment for a fully accessible building will remain.

iii. Access to Information

The Assembly wishes to make all of its public information accessible to people throughout Wales. In conjunction with the Disability Rights Commission and RNIB Cymru, Guidelines have been established which will enable disabled people to access Assembly information. In developing the guidelines the Assembly has been mindful to balance the likely needs of disabled people with the duty to manage the public purse in a responsible manner.

The key points in the guidelines are ;

All correspondence, including e mails, should be issued in a minimum of 12 point font – where correspondence is received in a larger font – the reply should be sent in that larger font

Publications should be issued in 12 point font, and contain a clear notice advising that versions will be made available in alternative formats on request.

Job Advertisements will be published using 14 point font for the job title and a strap line advising that alternative format versions will be provided on request.

Technical public notices will be issued in 7 point font, but with a strap line in 12 point font, advising that alternative or large print versions will be made available on request.

The Assembly will need to work with the Assembly Sponsored Public Bodies and Local Authorities in Wales to ensure that these standards are adopted into their working practices.

iv. **Information Communication Technology (ICT)**

ICT has an increasingly important role in enabling disabled people to access information. ICT can

enable disabled people to make a fuller contribution to, and be integrated in society. However, for many people the cost of a PC and Internet access will remain a barrier – it is important that community based facilities are located in fully accessible venues. A key commitment within the Information Age Strategic Framework, Cymru Arlein, is to use ICT to enhance communities their culture and languages, promote social inclusion and help combat a digital divide. Actions to take this forward include;

- every public library to offer supported access to the internet and web based services by the end of 2002
- establishment of ICT facilities in over 400 learning centres in schools and

community venues across Wales by December 2001

Welsh Public Library Standards include the clause that Welsh public library authorities will enable convenient and suitable access for users of libraries by the provision of static and mobile library service points. To ensure that disabled people have access to the internet services, further monitoring of the accessibility of library buildings needs to be undertaken.

The Assembly is working with other organisations to compile a database of ICT centres across Wales. There is an undertaking that data collected for the database will include accessibility for disabled people.

The Assembly will need to work with the Disability Rights Commission and other organisations representing the interest of disabled people, to ensure that the needs of disabled people are in-bedded in future ICT policy development.

The redesign of the Assembly's internet site, launched in March 2001, took into consideration all technical and usability government guidelines. The RNIB was consulted on the development of the site and some of its members approved the site design and accessibility. Access by disabled people will be an important consideration in any future developments of the Assembly website.

ii. **Minicom**

Minicom or text phones enable deaf or hearing impaired people to communicate by telephone. The system allows messages to be typed on a keypad and displayed to the user. A survey of National Assembly outreach offices has revealed that not all locations are able to offer this service to customers. The Equality Policy Unit has brought this to the attention of the Agriculture Department. It is recommended that all outreach offices should be provided with a minicom and staff trained in its use.

iii. **British Sign Language**

Following a proposal put forward by the all party group on deaf issues, chaired by Karen Sinclair AM, funding has been set aside to trial the provision of BSL facilities within the Assembly building. The project will be evaluated after 6 months and decisions made regarding the continuation of the service. The all party group has also received information on video telephones which would enable users to communicate using BSL over a telephone link. Further evaluation of how this technology may be used will take place prior to any firm proposals being made.

4. Education

The Special Education Needs and Disability Act 2001 received Royal Assent on the 11th of May 2001. The purpose and rationale of the Act is to make further provision against discrimination, on grounds of disability, in schools and other educational establishments; and

- Strengthen the right of children with SEN to be educated in mainstream schools;
- Require LEAs to arrange to provide parents of children with SEN with advice and information and a means of resolving disputes with schools and LEAs;
- Require LEAs to comply within set periods with orders of the Special Education needs Tribunal (SENT) and make other technical changes in support of the SENT appeals process and the process by which a child's needs are assessed;
- Require schools to tell parents where they are making special education provision for their child and allow schools to request a statutory assessment of a pupil's SEN.

The disability provisions place:

- a. New duties on schools and LEAs (local authorities in Scotland):
 - Not to treat disabled pupils less favourably, without justification, than other pupils;
 - To plan strategically and make progress in increasing physical accessibility to schools premises and to the curriculum;
- b. New duties on further and higher education institutions and LEAs in respect of adult education and youth service provision secured by them:
 - Not to treat disabled students less favourably, without justification, than other students; and
 - To make reasonable adjustments to ensure that people who are disabled are not put at a substantial disadvantage to people who are not disabled in accessing further, higher and LEA secured education.

The duties on schools come into force in **September 2002**.

The post-16 duties are being introduced in three stages;

From **September 2002** it will be unlawful to discriminate against disabled people or students by treating them less favourably than others. In addition, responsible bodies will be required to provide certain types of reasonable adjustments to provision where disabled students or other disabled people might otherwise be substantially disadvantaged with the exception of the following

- From **September 2003** responsible bodies will be required to make adjustments that involve the provision of auxiliary aids and services
- From **September 2005** responsible bodies will be required to make adjustments to physical features of premises where these put disabled people or students at a substantial disadvantage.

i. **How is SEN is being implemented in Wales?**

In the last ten years the number of children statemented as Special Education Needs (SEN) has risen from twelve thousand (12,000) to seventeen thousand (17,000). It is believed that this could in part be attributed to improved diagnoses and recognition by health and education professionals.

A new SEN Code of Practice will be published shortly; all bodies concerned will be required to have regard to the Code, which will include guidance to parents, governing bodies and schools. The Code addresses the needs of children with SEN and provides guidance to practitioners on how to respond to individual needs.

A dedicated chapter of guidance is included which is aimed specifically at provision for young children with SEN in early years setting. All government funded Early Years Education providers will be required to have regard to the guidance in the revised SEN Code.

The code will also reaffirm parents' rights to pursue the placement of their choice for their children and will reflect the strengthened rights of parents under the SEN and Disability Act. The SEN Tribunal has undergone a quinquennial review that has highlighted support for a formal system of resolving disputes between LEAs, education authorities and parents. The right of appeal to the SEN tribunal will be maintained and the service to parents improved. Funds have been made available for the potential establishment of a separate SEN Tribunal for Wales.

The Assembly is setting up an all Wales SEN Pilot Scheme in order to plan and target SEN provision across Wales. Estyn is currently researching provision patterns in eleven Welsh LEAs and will present findings to the Minister for Education and Lifelong Learning in due course.

Education divisions of the Assembly are currently striving to identify monies available within LEAs and school budgets for SEN provision. Many schools are not accessible to disabled people, particularly in the more rural areas of Wales.

Children from Wales have traditionally attended special education schools in England as there have been limited opportunities within the Welsh boundaries. This has been to the detriment of Welsh speaking disabled children in instances where they have been denied education through the medium of Welsh. In part the problem will be addressed by mainstreaming. However, given the commitment to parental choice, there may still be a need for specialised schools as parents and children express their preferences as to where and through which linguistic medium education is delivered. Pupil Support Division has undertaken to re-examine the provision when the results of the SEN Pilot Scheme is published and to explore a means of meeting any identified need.

The Assembly has made available £2 million to equip and refurbish Ysgol Plas Brondyffryn in Denbigh. The school will provide residential and day places for children identified as having difficulties within the autistic spectrum of disorders. Agreement has been reached with four LEAs in Wales who have agreed to send children from within their areas to the school. Appropriate English LEAs have also been approached.

ii. Funding implications of the SEN and Disability Act

The National Assembly has recognised that measures outlined in the Act that reflect published commitments in the SEN Action programme for Wales will have resource implications for LEAs and schools.

The Assembly has allocated an additional £27million to local authorities to accelerate progress on much needed capital work on school buildings. In addition LEAs will also be able to draw on significant resources made available under the Assembly's New Deal monies, Additional Capital for Schools Programme, and from an additional £85 million allocated for the three-year period from 2001-02 and 2003-04 for school building. Taken together with existing provision this will provide nearly £300 million for school buildings in Wales over the forthcoming three-year period.

An additional £40 million over three-year period 2001-02 and 2003-04 has been made available to support the Post 16 education provision that should enable sectors to improve access for disabled students.

The Grants for Education Support and Training (GEST) Programme 2001-02 has provided £3.65 million to Local education Authorities to support their Special Educational Needs requirements. This represents

an increase of almost £0.5 million on the previous year, following increases year on year in preceding years. The funding aims to develop staff expertise and provision for pupils with Special Educational Needs (SENs) in accordance with the revised SEN Code of Practice which will come into force during the 2001-02 school year, and "Shaping the Future for Special Education – An Action Programme for Wales (January 1999).

Activities which are supported by the funding are:

- enhancement of the skills of teachers of children with SENs, learning support assistants and Welsh speaking SEN specialists;
- support for schools in their development of effective SEN policies/code of practice;
- making available an independent support and advice service through Independent Parental Supporters (IPs) to all parents of children with SEN. Developing local conciliation arrangements for dealing with disputes with parents;
- two projects, one in North Wales and the other in South East Wales for the regional planning of SEN provision. Each project is intended to enhance the overall activities detailed above, by providing good practice guidance in the field of multi-agency regional planning of SEN which will be disseminated over time to all authorities in Wales. The projects will come to an end in 2001-02.

i. Schools Performance Division

Schools Performance Division have produced a guidance circular for Head Teachers and School Governors on producing school prospectuses. The circular provides advice and guidance to schools and governing bodies on the statutory content of School Prospectuses.

All maintained schools are required to publish an annual prospectus that must contain statutory information and includes information regarding Special Education Needs and provision for disabled pupils i.e.:

- Special curricular information for particular categories of pupils including those with Special Education Needs;
- A summary of the schools SEN policy;
- Details of any policy adopted by the governing body with respect to equal opportunities;
- A description of the admissions arrangements for pupils with disabilities (including the admissions arrangements for pupils with special education needs without statements);
- Details of steps taken to prevent disabled pupils from being treated less favourably than other pupils;
- Details of facilities provided to assist access to the school by disabled pupils e.g. physical access or access to the curriculum.

In addition, the guidance gives a suggested reading list to assist schools and governing bodies.

i. Governing Bodies

All governing bodies are required to produce an annual report and must include a section on *Organisation and Policies*:

- Details of the school's Special Education Needs (SEN) policy, including its success, the allocation of resources, changes made, and any consultation with the LEA and other schools;
- A description of the admission arrangements for pupils with disabilities (including the admissions arrangements for pupils with special education needs without statements);
- Details of steps taken to prevent pupils with disabilities from being treated less favourably than other pupils;
- Details of facilities provided to assist access to the school by pupils with disabilities (for example, physical access or access to the curriculum).

In encouraging disabled people to apply for appointments on Boards of Governors, venues selected for meetings should be accessible to disabled people and information should be available in alternate formats on request. Every attempt should be made to meet the physical requirements of disabled people including interpreters for those with hearing impairments. The benefits, for a school, of disabled people on a governing board are considerable, not least, in access to advice on school policy and planning based on personnel experience and knowledge of disability.

i. Education and Learning Wales (ELWa)

The Assembly has established the New National Council for Education and training for Wales. Under the umbrella of ELWa, the National Council and the Higher Education Funding Council will work in partnership to create an education system of excellence wherever learning takes place: in the workplace; further education school or college; in the community or at home.

In their operational plan ELWa have set out key tasks that it will be working toward over 2001 – 2002 and beyond. Their set the goals include: world class post 16 education and training, training of essential skills including literacy, numeracy and IT training; flexible learning opportunities and provide the basis for an inclusive and stable society by transforming the lives of disadvantaged people and developing all communities.

In order to achieve this they plan to work in partnership with key service providers, industry and the voluntary sector. Studies are to be carried out to ascertain the overall condition of FE properties and establish whether they have appropriate facilities. Consultants will undertake the disability audits and condition surveys simultaneously during 2001.

Partnership between education providers and industry is considered vital in order to ensure young people are equipped for the world of work. Specialist technical and human resource support will

be provided in order to ensure the provision for and inclusion of disabled people.

Community learning and cultural development are seen as key tasks and the National Council will pursue policy to remove barriers such as cost, and lack of transport that have proved to be barriers to learning in the past. Innovative approaches will be required to attract those who have had bad learning experiences in the past and develop learning opportunities that enhance the culture and diversity of Wales.

Assistance is given to FE institutions to meet the additional technical and human support costs of making mainstream education accessible to students with learning difficulties and or disabled students. Placements are funded for up to three years with non-FE institutions where there needs cannot be met by an FE institution.

Equal opportunities are therefore considered of vital importance in achieving the National Council's vision of excellence for Wales and is committed to ensuring equality of opportunity in access to training, education and business support programmes.

ii. Higher Education Funding Council for Wales

Disability policy for the higher education sector -

Existing Policy And Practices - Disability Statements

The amendment to section 65 of the Further and Higher Education Act placed a requirement on institutions to publish Disability Statements and required the Funding Councils to provide advice and guidance to the sector on how the Statements should be structured and how they could be improved. The first Statements were requested in September 1996. Full revisions are requested every three years, with annual updates being requested in between. Although HEFCW is no longer obliged to request the Statements, good practice dictates that the Council should continue to do so.

iii. Guidance on Base-level Provision for Disabled Students in Higher Education Institutions

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In December 1997, HEFCW and HEFCE jointly commissioned the Segal Quince Wicksteed (SQW) report, entitled Guidance on Base-level Provision for Disabled Students in Higher Education Institutions. The report presented the findings and recommendations of a study of base-level provision for disabled students in higher education institutions (HEIs). The aims of the study were to: guide institutions on provision for disabled students; act as a benchmark for

students and institutions; and inform funding policy. The recommendations fell into three groups: base-level provision, and a statement of what every HEI should be expected to provide; funding issues; and other initiatives to promote access for students with disabilities.

The recommendations of the SQW report were put forward in a report to the Funding Councils in September 1998, published and circulated to institutions early in 1999. The report recommended that additional resources be made available to institutions to ensure that base-level provision was met in all HEIs and to provide incentives for further development. The study suggested that Funding Councils should consider a shift to formula funding for students with disabilities through the teaching funding method.

iv. Disability Provision Development plans

Following the publication of the SQW report, the Council agreed to establish ring-fenced funding for the development of services for students with disabilities within institutions, giving institutions the opportunity to operate within a strategic framework. All Welsh Higher Education Institutions (HEIs) were eligible for funding. Payment would be made on the production of an acceptable strategic Disability Provision Development plan for the development of provision and services for students with disabilities. The plan would need to show how base-level provision would be developed, and would also need to describe the strategies the institution would put in place to improve and evaluate services. The QAA Code of Practice for students with disabilities suggested that such plans should help to monitor the effectiveness of provision for students with disabilities, evaluate progress and identify opportunities for enhancement.

Through this approach, the Council was keen to ensure that: all HEIs had the opportunity to receive additional funds; there were resources to ensure minimum standards as defined in the SQW study throughout the sector, and to fund improvements and further developments; institutions would take a longer term view through putting disability firmly within the strategic planning process; and HEIs were held accountable for implementing their policies for disabled students, with the use of funding being subject to evaluation.

v. FUTURE PLANS - Disability premium

HEFCW has confirmed that, in future years, it intends to introduce a disability premium, based on numbers of disabled students in receipt of Disability Student Allowance, as recorded in the HESA Student Record. Analysis of 1998/99 HESA data revealed inconsistencies in the recording of the disability field. In order to allow sufficient time for institutions to improve their data, premium payments will not be made until the 2002/2003 academic year. Further details regarding the premium have not yet

been announced. It is anticipated that the premium will complement, not replace, institutions strategic disability plans.

Funding a study across Higher Education to make courses and buildings more accessible.

This constitutes 50% of the £800K awarded by the National Assembly to fund a study across FE and HE institutions on disability access. Richard Hirst, ELWa's Director of Finance, was due to write to John Atkins of the National Assembly's Lifelong Learning Division, proposing that, since most institutions were beyond the study stage, ELWa should allow institutions to spend the money across three areas: infrastructure (both physical access and learning technologies); designing appropriate procedures; and, upskilling staff.

Given the diversity of the developments that could be undertaken through the use of this funding, the Higher Education Council – ELWa has proposed that the £400K set aside for higher education institutions should be divided as follows. £200K is to be distributed among Higher Education Institutions according to the floor area in each institution, which would assist the work on buildings access; and, the remaining £200K will be split according to staff numbers in institutions, in order to improve access to courses for students with disabilities. The latter would not include staff with contracts less than 0.25 FTE. It is also likely that HE institutions will be asked to carry out an estates audit if one has not already been undertaken.

4. Health and Social Care

By implication a large proportion of disabled people will be directly affected by the majority of policy developments in the health and social care fields. It is not our intention to detail all the initiatives taken by the Assembly in these specific areas, but rather to focus on policy containing a specific disability aspect.

i. Health Information Needs

The need to reduce inequalities in health is a clear priority for the Assembly and in particular within the health, well being and social care agenda. The Health Promotion Action Plan states that effective, targeted communication is an essential factor in implementing the programmes of the health promotion strategy. Information is not always accessible and does not always meet the needs of specific groups within the population. Action to address such needs is dependent on informed research.

The Communications Branch of the Public Health Strategy Division will undertake two literature reviews of recent, published research on the health information needs of the visually impaired and ethnic minority groups, respectively. The reviews will seek to identify the needs of these groups and assess the extent to which they are currently being addressed in Wales. The research can be used to inform a strategic approach to improving access to health information for

specialist groups. It is part of a wider initiative to ensure better access to quality health information for the public in general.

This important research should be extended to include amongst others, those with learning difficulties and deaf people.

- ii. Welsh Health Circular – Implementing section 21 of the Disability Discrimination Act 1995 Across the NHS.

Primary and Community Health Division has circulated the above document to the Chief Executives of Health Authorities, Welsh NHS Trusts and Chairpersons of Local Health Groups.

The circular sets out the action that NHS Trusts, Local Health Groups and Health Authorities should be taking to implement Section 21 of the DDA across the NHS.

Section 21 is concerned with the duty to make reasonable adjustment for disabled people. The duty is central to the provisions of the Act and requires service providers to make their services accessible to disabled people.

The Health Circular sets out, in clear terms, the service providers legal duty to meet the provisions of the Act and sets a best practise agenda to be followed by health service providers:

‘To make access a reality for disabled people NHS providers should strive to:

- Create a culture where disabled people actively contribute to all aspects of the implementation of Section 21 of the DDA
- Actively promote disability awareness so that it becomes an integral part of business.
- Be aware that any service change might have an effect on service delivery for disabled people.
- Ensure that disability issues are owned at board level.

Health Authorities and NHS Trusts should nominate a Board Member and Senior Manager to co-ordinate all staged of the implementation plan using their established equal opportunities framework’.

The circular will be followed up by a survey to monitor progress on implementing the provisions of the Act.

- i. NHS Support for disabled students

Through the NHS Bursary Scheme, the Assembly provides support to disabled students undertaking NHS funded courses. The Disabled Student Allowance has separate elements to cover help to pay for non medical carers, provision of specialist equipment, travel costs and additional associated costs eg Braille paper, audio tapes.

Although not means tested, students who receive the higher non means tested bursary ie Nursing Diploma and 3 year nursing degrees, are not eligible for the NHS Bursary Scheme.

During the Academic year 2000/01, 25 students received an average of £2,708 in support from the scheme.

ii. Learning Disabilities

The National Assembly established an external Learning Disability Advisory Group to draw up proposals for a framework for services for people with learning disabilities. The Group's final report was submitted to the Assembly this summer and a consultation on the report will follow.

iii. Care Standards

From April 2002, the Care Standards Inspectorate for Wales will become a division of the National Assembly and will take over regulatory responsibility for all those services currently regulated by local and health authorities as well as perform new functions conferred by the Care Standards Act. The Inspectorate will be responsible for registering and inspecting a range of public and private care settings.

The Inspectorate will consult statutory equality organisations and local access groups on draft regulations and national minimum standards for care homes for older people, care homes for younger adults with disabilities and adult placements. The standards for younger adults apply to all care homes providing accommodation and nursing or personal care for adults aged 18 – 65 who have:

- Physical disabilities
- Sensory disabilities
- Learning difficulties
- Autistic Spectrum disorders
- Mental Health difficulties
- Alcohol or substance misuse problems
- HIV/AIDS
- Dual and/or complex multiple disabilities, including those who are deafblind.

i. Direct Payment Scheme

The Direct Payments Scheme enables local authorities to make cash payments for community care direct to individuals who need services. They promote independence as day-to-day control of the money and the care packages passes to the person who has the strongest incentive to ensure that it is spent properly and effectively. The scheme introduced in 1996 was (subject to some exemptions) originally open to disabled people aged 18 to 64. In June 2000, the National Assembly agreed Regulations which extended the scope of Direct Payments to people aged over 65. These Regulations came into force in July 2000. In 2001, the Assembly agreed Regulations which further extended the scope of Direct Payments to encompass carers (including 16 and 17 year old carers) and to people who have parental responsibility for a disabled child. These Regulations came into force in July 2001.

ii. Long Term Care

From October 2001 people in nursing care, who pay for their care facilities, will receive their nursing costs free. Currently, people in care homes can be charged for their nursing costs that in all other settings would be free. Free nursing care will remove a major anomaly in the present funding arrangements for long term care.

From the 9th of April 2001, new regulations were introduced designed to ease the pressure, on those entering long term care, to sell their homes to pay care costs. These include:

- A new disregard of the value of the home for three months following admission to a residential setting – allowing more time for life changing decisions on care arrangements to be taken.
- Councils will be able to make available loans to meet care costs to avoid the need for house sales during the older persons life.
- The capital limits for mean testing and personal allowances for individuals have been increased.

A consultation on phasing out of the entitlement to Residential Allowance and the transfer of Preserved Rights to Higher Rate Income Support to local authorities has been completed and will be implemented from April 2002.

The Social Services Inspectorate for Wales (SSIW) is carrying out a series of inspections on social services for adults with physical or sensory disabilities. Inspections have been carried out in Torfaen, Wrexham and Carmarthenshire and will take place in Rhondda Cynon Taff, the Vale of Glamorgan and the Isle of Anglesey. Reports will be published on the individual authorities and, in due course, on the series as a whole.

Primary and Community Health Division

i. Mental Health Branch

The Primary and Community Health Division Mental Health Branch is currently involved in a number of policy developments which will seek to improve services for those suffering with mental health problems.

- A strategy for adult mental health services is in final draft format and is due to be sent to the Minister in the next fortnight. The final document will be published as guidance to all statutory services later this summer.
- A new strategy for child and adolescent mental health services has been cleared by the Minister and is now being printed. It will be issued as guidance to all statutory sectors later in the summer
- Officials are currently working on a new National Service Framework for adult mental health services. This will set standards and establishment performance measure and will be the means by which the Strategy's aims and principles are put into practice.
- Services for elderly mentally ill people are being reviewed as part of the plan to take forward the Older People's National Service Framework in Wales.
- A new Mental Health Bill is currently being drafted for planned implementation in 2004/05. This primary legislation will cover both England and Wales. Assembly officials are working closely with the Department of Health and Home Office preparing instructions for Parliamentary Council. This Bill did not feature in the Queen's Speech although the Department of Health have been asked to continue drafting so that a draft Bill will be ready should a suitable slot appear in the Parliamentary program.
- The National Assembly works with the Prison Health Task Force to improve the healthcare service currently received in prisons which is generally below that received by members of the general public. The prison population has a particularly high need for healthcare services especially in relation to mental health problems. Addressing these needs which will ultimately benefit the rest of society by reducing recurrent criminal activity which stems from mental health

illness. Good progress has been made in creating partnerships between the 4 prisons in Wales and their NHS partners. The National Assembly has provided funding for mental health inreach and for combating drug abuse.

- A free-phone helpline (CALL) covering the whole of Wales, has been set up to give advice to anyone with a mental health problem. The helpline is being managed by the North East Wales Trust with funding supplied for the first three years by the Assembly
- A free-phone helpline has also been set up to advise people suffering from rural stress. This helpline is also currently being funded by the Assembly

i. Promoting Health for Looked After Children

Based on the Office of Public Census and Surveys (OPCS) studies (1989), and using the OPCS definition which included behavioural and emotional difficulties, Professor Parker estimated that about one in four children in public care are disabled (Disabled Children: Directions for Their Future Care, 1998). These children fall into two broad categories - those receiving a planned series of short term breaks and those who are looked after on a continuous basis.

The proportion of children with disabilities in continuous care or accommodation varies considerably from one authority to another, and will be determined to some extent by the presence or absence of support services for such children and their families within the community (Ward and Skuse. 1999). In the Dartington/Loughborough sample 10% of children had hearing impairments, 9% visual impairments and 8% mobility problems. Prevalence of learning disability is difficult to assess from social work records because of wide variations in the definition.

A looked after child with disability should have any associated special educational needs identified in line with the Welsh Office code of practice on identification and assessment of Special Educational Needs (SEN). In all cases where a local education authority is undertaking a statutory assessment of special educational need it must seek advice on all aspects of a child's health and development from the health service. They will normally approach a medical officer for special educational needs designated by the health authority. Those with substantial SEN requiring provision beyond that which a mainstream school can provide from its own resources will be subject to multidisciplinary statutory assessment and any additional provision would be set out in a statement of SEN. In some such cases Local Education Authorities and Social Services Departments may decide that a child's needs will be best met through a jointly funded residential school placement.

"Shaping the Future for Special Education in Wales - an Action Programme" published in January 1999 stressed that where children with SEN are placed in settings such as residential homes outside their home area it is essential that the home authority and other partners, such as health authorities and NHS trusts with an interest in or responsibility for the child's health and welfare, work together on effective strategies for a child's return to the home area at the end of their schooling.

For children using short-term breaks, the parents will retain the prime responsibility for ensuring the

health of their child. The key issues will be to ensure that carers have appropriate understanding of the child's disabilities and any medical, behavioural and social consequences. It is also essential that carers know what to do in an emergency and who to contact.

Disabled children in longer-term care should have a very detailed health history and healthcare plan. Many disabled children are well-known to consultant paediatricians and other specialists. Their advice is essential to the health care planning of many disabled children.

A health assessment of a disabled child should recognise the importance of identifying any disabling barriers in the child's environment which exacerbates the effects of the child's impairments. Steps should be taken to ensure that the child's environment promotes the development of the child's potential.

Where disabled children are living away from home in the short or long term attention must be given to ensuring the safe installation and use of any equipment and adaptations that may be necessary.

4. Housing Initiatives

i. Better Homes for People in Wales – A National Housing Strategy for Wales

The National Housing Strategy was debated and approved by the National Assembly in plenary on 12 July 2001. The strategy aims to ensure that everyone in Wales has the opportunity to live in good quality, affordable housing.

The strategy embraces the National Assembly's three key themes. Equality of opportunity has particular significance in terms of accessibility to housing.

While disabled people will benefit from the broad range of policies set out in the strategy, listed below are a number of specific policies/initiatives that are directly relevant.

ii. Care and Repair Scheme

Care and Repair agencies play a vital role in the provision of services to the elderly and disabled, assisting with adaptations, repairs and improvements to their homes. This often avoids clients going into supervised care enabling them to remain in their own homes. There are 26 agencies in Wales offering all-Wales coverage. The service provided is wide-ranging, including practical support within the home renovation grant process, management of building work and advice on reputable building contractors.

To ensure that disabled and older people have access to the help needed to remain in their own homes, innovative and more effective provision of help, with closer integration of housing, health and social care services, are being researched. Proposed changes to private sector renewal funding arrangements, will offer Care and Repair agencies further opportunities and scope to extend the help and advice they provide, particularly with the increasing availability of loans alongside grants.

The National Assembly currently contributes a third or more of the funding to agencies (£1.3 million in 2001-2002), with the remainder coming from local authorities, housing associations and other sources. However, from 2003 -2004 the National Assembly will provide full core support. This will enable Care and Repair to operate in an atmosphere of increased security, and will consolidate their current position. Care and Repair will then be able to build upon the work they do alongside other public sector agencies including social services, health trusts and voluntary agencies providing a more co-ordinated approach to assistance for elderly and disabled people.

Disability is an integral part of Care and Repair Cymru's Equal Opportunities Policy and Statement of Intent. It is an organisation that uses the Disabled Users Symbol.

iii. Disabled Facility Grants

Disabled facilities grants (DFGs) help with the cost of carrying out adaptations needed to enable disabled people, including children, to remain in their own homes. The grants are mandatory and are allocated by local authorities up to a maximum, in Wales, of £24,000. Applications for DFGs are subject to a means-test based on Housing Benefit rules, which are adjusted annually to take account of inflation. Assessments are carried out by Occupational Therapists and it is expected that Housing/Environmental Health Departments work in close conjunction with Social Services during the application process (discretionary DFGs can also be made available in certain cases).

The National Assembly recognises the importance of both adults and children having access to the particular facilities they need and being able to move freely around their homes. It is essential that the help available is targeted at those in greatest need and that the grants are subject to a test of resources.

The National Assembly also recognises that the expenses of disabled people and those caring for them are different to others who apply for grant to improve their homes. The test of resources for these grants therefore includes additional allowances and premiums to reflect those higher costs. The current test of resources is considered the fairest way of assessing entitlement to grant, as it treats all applicants equally.

The National Assembly has consulted on proposed reforms to private sector renewal arrangements, these include giving local authorities the power to give applicants for DFG

preferential loans to help meet the cost of their contribution towards adaptations to their homes.

The Finance Minister recently announced a 'Rapid Response Programme', with funding over the next 3 years totaling £2 million. It is intended that this will go towards small-scale adaptations such as handrails, ramps etc. The exact details of the programme are still being finalized, but Care and Repair Cymru will be co-ordinating the initiative and will set out what the scheme will eventually develop into.

The Syniad Benchmarking Reference Centre is examining problems associated with Disabled Facility Grant administration and is due to produce its report on services for the disabled later in the year. The report should cover things like holdups and blockages in the grant system administration and posit solutions.

iv. **Home Repair Assistance**

Home Repair Assistance (HRA) is one of the most valuable tools at the disposal of local authorities for private sector renewal, largely because unlike other grants it is not subject to a test of resources. HRA offers quick, efficient repairs (being particularly beneficial for elderly and disabled people) resulting in swift response times. The National Assembly has recently revised the regulations governing HRA and it is now available up to a maximum of £5,000 per application.

HRA is of particular value to elderly and disabled people as it is very often the case that minor repairs and adaptations enable them to continue to live in their own homes in comfort and safety.

v. **Local Accessibility/Adaptation Registers**

The Housing Strategy makes clear that the National Assembly is determined to promote equality of access to social housing, and recognises the difficulties faced by people with physical disabilities in this area.

It is intended to encourage local authorities to adopt information systems that enable them to identify accessible and adapted properties, and match them with the needs and choices of disabled people. The National Assembly intends also to work with the Housing Organisations Mobility and Exchange Service ("HOMES"), to overcome barriers for disabled people who wish to move from one local authority area to another.

The Assembly intends to consult on the provision of housing information and advice services for disabled people, and how we can enable better access to housing services for them.

vi. Lifetime Homes

The Lifetime Homes concept was first promoted by the Joseph Rowntree Foundation in 1992. Its aim was to develop a housing programme that could meet the changing needs of a family throughout its lifetime or to meet the varying needs of different occupants.

Lifetime Homes comprises 16 major design standards that aim to increase flexibility, providing homes that can cater for a wide range of people. The standards are not specifically aimed at disabled occupants, but are designed to provide greater flexibility and accessibility for the majority of the population. The standards also aim to allow people the option of remaining in their home should their physical condition change.

In April 1998, the Chartered Institute of Housing published a report, "Lifetime Homes in Wales". The report investigated the attitudes and perceptions of housing providers toward the concept of Lifetime Homes. Subsequently, a steering group was set by the National Assembly to consider the benefits derived from building homes to the standards, and to prepare recommendations to assist policy development.

Revised Lifetime Homes standards were launched on the 21 April 1999 by the then Construction Minister, Nick Raynsford MP. Simultaneously he announced changes to part M of the Building Regulations, which for the first time introduced legislative requirements for all new dwellings to have basic accessibility features. Lifetime Homes standards go beyond Part M Building Regulations, placing greater emphasis on accessibility and adaptability.

The National Assembly is committed to the principle of Lifetime Homes. The introduction of Lifetime Homes standards and changes resulting from the revisions to Part M of the Building Regulations are being incorporated into the National Assembly's 'Development Quality Requirements' for social housing and the 'Pattern Book' of house-types (which exemplify the DQRs).

All new housing built by registered social landlords in Wales after April 2001 will be built to design standards that incorporate the Lifetime Homes principles. In addition, research into the application of Lifetime Homes standards to rehabilitation projects is currently being undertaken, with a report planned for 2001.

vii. **Supporting People Framework**

Supporting people is a new policy and funding framework for delivering accommodation based support to vulnerable people, in different types of accommodation and across all tenures. It puts on a secure and legal footing the funding that has been delivered in an ad hoc way through housing benefit, as well as replacing a complicated tangle of other funding streams and overlapping management structures. It is being preceded by a Transitional Housing Benefit Scheme, operating until April 2003 when the new system will be introduced throughout the UK.

Where disabled people have a need for accommodation based support in order to develop the skills and confidence to maintain their own accommodation, Supporting People will enable the provision of high quality and flexible services to meet that need.

viii. **Welsh House Condition Survey**

The 1997 survey indicated the numbers of homes requiring adaptation by residents. This showed that whilst 22,000 homes had access ramps, a further 19,000 homes required this adaptation to meet the needs of the residents. Similarly 33,000 houses had wider doorways to accommodate wheelchair access and a further 12,500 were in need of adaptation.

Recent research commissioned by the Disability Rights Commission in Scotland indicated that a large number of adapted homes were not actually occupied by people requiring the adaptation. This information can not be drawn from existing figures in Wales. It is therefore recommended that the next Household Interview Survey, planned for 2002 – 2003 seeks to ascertain this additional information. It may in addition be appropriate to use the survey to gather additional information regarding the incidence of disability in Wales.

4. **Wales European Funding Organisation**

Wales European Funding Organisation (WEFO) was set up on the 1st April 2000 as an executive agency of the **National Assembly for Wales** to manage all aspects of **European Structural Fund Programmes in Wales**, the **Rural Development Plan** and the **Local Regeneration Fund**.

Its primary objective is to ensure that: **Wales derives the maximum possible benefit from European Programmes and other regeneration funds** and to:

- Promote sustainable economic growth
- Increase prosperity in all parts of Wales
- Reduce disparities within Wales

- Tackle inequality, inactivity and social exclusion.

Wales will be the recipient of substantial Structural Fund support from the European Community during the period 2000-2006 via a number of Programmes including Objective 1 **for West Wales and the Valleys**, Objective 2 **and Objective 3 in East Wales**, the Rural Development Plan and a range of **European Community Initiatives - Leader, Urban2, Interreg 3 and Equal**.

Objectives 1,2, and 3 all have crosscutting themes of Equality of Opportunity that WEFO has defined and are a central part of funding programmes. All grants applications must address issues of equality and demonstrate equality of opportunity. Guidance is given on sex discrimination, the environment, Welsh language and information technology. The Disability Rights Commission has been approached to provide guidance on disability issues.

WEFO staff have all attended a course on Equality Issues arranged by the Equality Policy Unit over the summer, and specific training on identifying Equality issues within projects is being arranged during the Autumn.

WEFO will soon be appointing an Equality Officer to work with local and regional partners in taking these issues into account in designing projects. This person will also set up systems to monitor the way that projects are taking account of equality issues.

A recent innovation is the development of Finance Wales and Social Risk Capital Fund. Smaller groups will be able to access European Funding via these initiatives through Wales Council for Voluntary Action and grants range from £1000 upwards. There is scope within these new initiatives to address disability issues. The projects must demonstrate economic benefit and employment opportunities. Grants are awarded for a three year term.

4. **Transport**

The Assembly endorses the UK Governments commitment to an accessible public transport system in which disabled people can enjoy the same opportunities to travel as other members of society, and recognises the importance of associated station and information provision. The Assembly provides support for community transport through the local transport services grant (£7.3 million next year) and the Community Transport Association, where it meets the costs of a full time officer for Wales. A report is to be presented in February 2002 which will make recommendations for policy action to improve community transport provision and its integration into main stream public transport. Disabled people and the elderly have traditionally been the principal beneficiaries of community transport.

The Assembly is closely involved with the work of the Disabled Persons Transport Advisory

Committee, which is sponsored by DTRL, and is very much concerned with access issues.

5. Public Transport Information System

The National Assembly has provided or set aside a total of just over £900,000 towards the cost of setting up this system. The intention of the system is to provide mainly local bus information, but once fully operational the Welsh system will be able to provide a full journey planner facility for all public transport modes. The service currently operated through call centres is available via text phone and will in the future be available via the internet.

i. Bus Fares

The Assembly has used its powers to ensure that from April 2002 disabled people will receive free fares on all local buses in Wales.

4. Sport.

All Assembly money for sport is channelled through the Sports Council for Wales. In 1999 the Sports Council published its strategy document ‘ A Strategy for Welsh Sport – Young People First’ which reinforces its commitment to young people and their participation in sport.

The Sports Council believes in the principle of sports equity. They are working to ensure that sport is accessible to everyone, regardless of race, age, gender, creed, ethnic origin, disability or level of ability.

The Welsh Institute of Sport is Wales’ own national centre for the development of excellence in sport and is used by most of the governing bodies of sport.

The Council has assisted the Federation of Sports Association for the

Disabled in setting up a Disability Sport Cymru Office within the Institute to house its new development staff.

The Sports Council and the Federation of Sports Associations for the Disabled

launched their joint initiative last year called **Disability Sport Cymru**.

The initiative will receive almost half a million pounds a year and aims to increase participation amongst young disabled people. Examples include, the creation and development of new and existing clubs and a structure to support talented disabled competitors via a wide range of talent identification and development programmes. This is to ensure that there are more recreational and competitive opportunities for people with a disability.

Under Disability Sport Cymru, the local development scheme will be promoted and delivered through a network of part time co-ordinators in each local authority throughout Wales and will be measured by the number of people participating in sport and the number of clubs developed or established.

Wales has an enviable reputation within disabled sport with established personalities such as Tanni Grey Thompson and Chris Hallam and up and coming athletes such as Nicola Tustain, David Roberts, Lloyd Upsdell and Emma Brown, many of whom are supported by the Sports Council's Elite Cymru scheme.

The Assembly wants everyone in Wales, regardless of age and ability to have the opportunity of participating in sport, whether for fun, to keep fit or in pursuit of excellence. The Assembly works closely with the Sports Council for Wales who play a lead role in developing and implementing sports policy in Wales.

5. Local Government

i. Best Value Performance Indicators

The Assembly monitors local government performance against 5 disability based Best Value Indicators, these are:

NAWPI 1.13 – the percentage of authority employees declaring that they meet the Disability Discrimination Act 1995 definition of disability as a percentage of the total workforce.

NAWPI 1.15 – the percentage of the authority's buildings open to the public and that are suitable for and accessible to disabled people.

NAWPI 6.9 - the percentage of pedestrian crossings with facilities for disabled people.

NAWPI 10.8 – the number of staff declaring that they meet the Disability Discrimination Act definition of disability as a percentage of the total workforce

NAWPI10.11 –the number of the authority's buildings open to the public and the percentage that are suitable for and accessible to disabled people.

For the next year the Assembly is intending to review all equality indicators in light of the work that has been undertaken on the Generic Equalities Standard

for local government, known in Wales as "Breaking the Barriers".

ii. Under Representation in Public Appointments and in Local Government

The Equality of Opportunity Committee has driven forward work to encourage diversity in public appointments. The Committee's report on Public Appointments to Assembly Sponsored Public Bodies has been endorsed by the Assembly and a consultation exercise has been undertaken. Officials are collating the responses to the consultation and will submit an action plan to the Executive.

The Committee has also considered a review of the Independent Assessor list used for public appointments. It has suggested that a new list of Independent Assessors should be recruited and trained, and that the statutory equality organisations could be involved in the selection process. Work is in hand to implement this.

The Assembly, the WLGA and the equality commissions have agreed that there is a need to encourage greater participation of under represented groups in local government. Two targeted events are planned for November. These will explore the barriers to participation and aim to raise levels of interest.

iii. Access to polling stations

National Assembly officials have been in contact with local authorities to identify any significant changes in the number of polling stations in the 1997 and 2001 general elections. The general trend was for a slight increase with two authorities, Conwy and Denbighshire having established new polling stations to allow greater access by disabled people. A review of arrangements for the 2001 general election to identify any shortcomings in access arrangements, using the Disability Rights Commission / SCOPE polls Apart 3 findings as base information, together with an audit by local authorities of designated polling stations, will be undertaken to inform planning for the next Assembly election in 2003.

4. Children First

Children First aims to transform services for vulnerable children and their families, thereby enabling those children to lead fuller, more successful lives as adults. The National Assembly has allocated £12.225 million in funding for 2001 – 2002, with indicative plans for £16.25 million in 2002 – 2003 and £18.06 million for 2003 – 2004.

The Assembly has set 11 objectives for the programme, number 6 of which is :-

to ensure that children with specific social needs arising out of disability or a health condition are living in families or other appropriate settings in the community where their assessed needs are adequately met and reviewed.

The Assembly regards services for children with disabilities and their families as a key priority for the use of Children First funds. Local authorities have been asked to set out what action they intend under the above objective to:

- increase provision of family support services;
- better integrate disabled children into mainstream leisure and out of school services;
- improve information for planning purposes;
- provide better information for parents; and
- increase the availability of key workers and other measures to improve co-ordination.

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4. Regional Selective Assistance (RSA)

RSA helps support capital investment projects in the assisted areas, that create new jobs or safeguard existing ones. It is the main form of financial incentive to industry to encourage investment and growth in Wales. The Assembly has identified that RSA may support equal opportunities by improving support for knowledge based projects that offer flexible working conditions and where the work is both accessible and appropriate for disabled people. Assembly officials are considering how to take this forward and will report developments to the Economic Development Committee.

5. Access to Historic Buildings

6. The Historic Environment

i. Cadw Monuments

There are some 130 historic monuments in the care of the National Assembly, many of which are castles built for defence rather than open access. Cadw, the executive agency within the Assembly with responsibility for the historic environment, has published a booklet showing how far it has been able to provide facilities for disabled people at its sites. This is available in several formats, including large print and Braille versions and is also accessible on Cadw's web site. The

ambulant disabled are helped as far as possible by handrails and other safety measures and, wherever possible, Cadw tries to ease difficult areas with the provision of ramps and other features. It is, however, often constrained by widths of openings, differences in levels, historic floor surfaces, which make the historic monument what it is. This is a continuous process though and Cadw aims to do as much as it can to facilitate open access. Cadw guidebooks are explicit in illustrating monuments, their history and their architecture, and giving some of the reasons why they look as they do.

ii. Other Historic Buildings

There are some 25,000 buildings in Wales which have been listed as of special architectural or historic interest; this figure is expected to rise to 30,000 by 2005 when the listing survey of Wales will be complete. Many of these buildings are private houses but many will be public buildings offering services and, as such, fall within the requirements of the Disability Discrimination Act. Any alterations to listed buildings require specific consent from local authorities under planning legislation and careful consideration and planning are therefore needed to adapt listed buildings to provide disabled access without compromising the historic character that makes them so important.

To assist this process, Cadw has consulted on draft guidance for local authorities and service providers to discuss how such historic buildings might be adapted to permit access for disabled people. Final guidance is being prepared in the light of consultation responses, which will identify some of the barriers to open access and suggest ways of overcoming them, often using creative and innovative approaches.

iii. Access to Historic Information

Equally important is access to historic material. The Assembly sponsored Royal Commission on the Ancient and Historical Monuments of Wales has relocated its research/reading room to the ground floor of the building it occupies in Aberystwyth to provide better access to this valuable resource. It is also in the process of refurbishing the entrance to the building to provide a lift from the ground floor to its main entrance, which is nearing completion.

15. Summary

From 2004 all service providers may have to remove any physical barriers that prevent disabled people from enjoying an equitable service. The Assembly, as a service provider, must comply with the Act and has also made a commitment within Better Wales.com to Equality of opportunity for all.

As evidenced by the responses, which are provided in this report, from across the National Assembly, a significant amount of work has already been done. However, full social inclusion, equality of opportunity and civil rights for all disabled people will not be achieved by short-term strategies.

Wales has 404,000 disabled people of working age. The Equality Policy Unit has travelled around Wales talking to disability groups to ascertain what issues affect their lives and present a barrier to full social inclusion and equal citizenship. These included an inaccessible transport system; failure by service providers to take account of disabled people in the planning stage of services and inability to access the democratic process either as candidates or electors as the meetings are frequently held in inaccessible venues.

The obstacles to physical access for disabled people are many and various.

In Mid and North Wales public services including health care and social services often operate out of older premises that are protected by listed building status. Shops and larger stores frequently have a stepped entrance or lack lifts. Hotel accommodation does not always have lifts; loop systems; basic evacuation provision in the event of a fire or even the basic amenities such as accessible toilet and bathroom provision.

An inaccessible transport system was of the greatest concern to many consulted by the Unit. Lack of accessible transport in rural Wales can be a barrier to work and social inclusion. Improving the system would bring benefits to everyone including the elderly and parents with young children in prams and buggies. There are also the additional benefits to commerce and the environmental benefit of more people using public transport.

Many train stations in Wales are still inaccessible even on main line routes such as Swansea to Paddington. Port Talbot station is one example.

In 1999 the UK Government launched a campaign, 'See the Person'. It was designed to raise awareness of disability amongst employers and service providers. The Disability Rights Commission in Wales has already run a variety of information seminars aimed at service providers, business and public service providers and more recently on the SEN and Disability Act.

In order to support business and public authorities in Wales, we recommend that the Assembly investigates the possibility of organising awareness raising seminars and information events across Wales in conjunction with the DRC. These could also incorporate advice to health and education service providers.

Issues were clearly identified in the McPherson Report in 1999 following the inquiry into the death of Stephen Lawrence. The McPherson Report stressed that "if racism is to be eliminated from our society there must be a co-ordinated effort to prevent its growth. The Stephen Lawrence Inquiry Report:

‘Education Working Party’, recommendations were made and accepted by the Equal Opportunities Committee. These included:

- Tackle racism as part of a whole school strategy;
- Set up arrangements with the Department for Education to meet with publishers in order to try and influence the promotion of suitable culturally diverse materials.

The same strategy can be used to tackle not only racism but also disability discrimination within the school system and take a co-ordinated way forward across the equality agenda. This should include opportunities to raise awareness of disability equality issues and the opportunity for trainee teachers to meet with the DRC, where possible, to discuss valuing diversity in school; in addition to the requirements of the SEN and Disability Act.

In the area of recruitment all job advertisements should be placed in publications that reach groups that might normally be excluded from the recruitment process in the Assembly.

As can be seen there is still some way to go, but the Assembly is committed to being an exemplar organisation within Wales. It is therefore recommended that this report is revisited in twelve months time to analyse how far work has progressed and how much more can be achieved to encourage civil liberties.