



## Cross Party Group on Disability

### Minutes

**Status: Approved by the Co-Chairs**

**Date of meeting**

**16<sup>th</sup> October 2015, Maesgwyn Hall, Wrexham**

**Present**

Aled Roberts AM (Welsh Liberal Democrats – Co-Chair), Mark Isherwood AM (Welsh Conservatives, Co-Chair), David Vasmer, Trevor Palmer (Disability Wales), Jim Crowe (Learning Disability Wales), Rhian Davies (Disability Wales), Vin West (Arfon Access Group, Wales Alliance for Citizen Directed Support), Margaret Provis (Welsh Government), Mark Jones (Wrexham County Borough Council), Nathan Lee Davies (Disability Wales), Sheila Meadows OBE (Parent), Sylvia Prankard (NAW CSSIW, Parkinsons Society), Tim Atkinson (MND Association), Gary Jones (Wales Mobility Service), Anne Williams (Parent), Celia Lewis (NEWSA Ltd), Angela McDermott (Dewis CIL), Simon Cooke (Dewis CIL), Jamie Westcombe (EHRC), Lindsay Haveland (CTA Cymru), Jan Thomas (Flintshire Disability Forum), Kathy Brimige (Flintshire Disability Forum), G. Davies (Mind Cymru), Rosemary Burslem (D.B. Independent Living Trust), Anthony Green (Mencap Cymru), Deborah Smyth (Affirm Consultancy & Training), Rebecca Phillips (Wales Council of the Blind – Minutes), Paul Swann (Disability Wales – Secretary)

**Apologies**

Clive Emery (Business Consultant), Jennie Lewis (Parent), Steve Harris (Dewis CIL), Owen Williams (Wales Council of the Blind), Anthony Jordon (Welsh Government), Isabel Mortimer (Welsh Government)

**1.**

**Welcome and introductions**

Mark Isherwood AM welcomed everybody to the CPGD in Wrexham and introduced the Secretary, Paul Swann and Co-Chair, Aled Roberts AM.

Mark Isherwood AM Chaired the meeting up to item 4 at which point, Aled Roberts AM took over.

2.

**Minutes of last meeting and matters arising (13/5/15)**

The minutes were approved as a true and accurate record.

**Proposed:** Jim Crowe **Seconded:** Rhian Davies

Actions were either completed or agenda items apart from the following three. The Secretary will action them within the next month.

**Action:** write to the Wales Community Rehabilitation Company to highlight disability hate crime and to invite their suggestions or guidance on the work they propose to undertake in this area.

**Action:** write to Leighton Andrews AM, Public Services Minister to request that Disability Hate Crime be considered within or alongside the Violence Against Women, Domestic Abuse and Sexual Violence Act.

**Action:** write to Assembly Commissioner Presiding Officer to ask them to take on board the matters raised within their outreach work with young people.

**Matters arising:**

i) A letter had been received from Rt. Hon. Alun Michael thanking the group for inviting him to speak at the last meeting. He felt that it was a worthwhile opportunity for him to focus in on disability issues. Copies of the letter were circulated prior to the meeting.

ii) Paul Swann was delighted to report that a response had been received to the CPGD's letter to the Health Minister, Mark Drakeford AM to question the absence of the UN Convention on the Rights of Disabled People in the Social Services and Well-being (Wales) Act. The Deputy Minister for Health, Vaughan Gething AM, confirmed that the concerns have been listened to and the Welsh Government have now inserted reference to the UN Convention, and specifically to Article 19 which enshrines the right to independent living. Copies of the letter were circulated prior to the meeting.

**Comments:**

Vin West welcomed the letters from both Rt. Hon. Alun

	<p>Michael and Vaughan Gething AM. However he expressed his concerns over of Mr Michael’s use of the term ‘Disability Awareness Training’ instead of Disability Equality Training and likewise he uses the term ‘Learning Disability’ rather than ‘Learning Difficulty’ as used within the Social Model context. Similarly with the Deputy Minister’s letter, he refers to the UN Convention on the Rights of People with Disabilities. The United Nations have stated that the appropriate language should be used for the model the State Party is working within. Therefore, in the UK it should be referred to as the ‘United Nations Convention on the Rights of Disabled People’. He asked that this be reflected back to the deputy minister.</p> <p>Jim Crowe agreed with the thrust of Vin’s comments but added that people with a learning disability don’t necessarily agree with the analysis of the descriptor of ‘learning disability’.</p> <p>Paul Swann reported that he had raised Vin’s points with officials. It was taken on board and where it is written into the Act, it is referred to as the UNCRDP rather than the UNCRPD, which is its formal title.</p>
<p><b>3.</b></p>	<p><b>Implementation of the Social Services and Well-being (Wales) Act</b></p> <p><b>Margaret Provis – the Welsh Government’s view</b></p> <p>Welsh Government are at the point of finalising the legislative framework, which will be supported by a set of codes of practice. Each code of practice will make reference to Advocacy.</p> <p>The making of the supporting legislative framework is taking place in two tranches. Tranche one has been completed. Welsh Government are now at the tipping point of laying the final set of regulations for AM’s to consider. They are producing the final version of all of the codes of practice, which will be on the statute books before the end of this calendar year.</p> <p>An introductory training programme is currently available</p>

online. The programme runs on a 'train the trainer' basis and is available for download. In addition, the Minister has requested a monitoring and evaluation programme be in place, which Welsh Government are currently working on.

**Mark Jones, Head of Service Physical, Sensory and Neurological Impairment and Mental Health, Adult Care, Wrexham County Borough Council – a local authority perspective**

Mark welcomed the new Act which focuses more directly on what matters. It brings social services legislation up to-date and into a simpler more workable format.

Wrexham have been making improvements to the the amount of information they provide across the board.

A new website has been developed called 'Dewis Cymru' which provides information and advice around health and social care for Welsh citizens. It will become the place to go if you have a query or problem about your welfare. There will be a network of professional organisations, third sector organisations, the private sector and community groups or disabled people or carers who will contribute to the portal. It is also intended to support the successful delivery of the new requirements placed on local authorities, around Information, advice and assistance, as set out in Part 2 of the Social Services and Well-being (Wales) Act.

Wrexham now have an initial response team comprising social workers and nurses who will respond to those who have not been able to find a solution on the portal. The local Community Voluntary Council have been invited to contribute along with the Carers Information Service provided by AVOW. This will help Social Services to better signpost people to third sector organisations.

**Vin West, Parent Carer, Arfon Access Group – a perspective from the Citizens Panel**

Vin began by thanking the previous Minister for Health,

Gwenda Thomas, for instructing her officials to set up the Citizens' Panel.

He explained that The Citizens' Panel's expertise is that of a recipient of social services or caring for someone who receives social services. Despite a shaky start, the Citizens Panel is making progress and they will be pleased when the regional panels are established. If the concepts such as co-production, citizens directed support, independent living and the social model of disability are understood and adopted, the Act's potential can be unlocked.

Although progress is slow, the hope is that disabled people have a more equal relationship with their local authority.

Vin expressed his concern that some of the aspirations of the Act, such as the active promotion by local authorities of social enterprises and third sector organisations, including those led by disabled people, may not happen if there is no funding available to make it happen.

### **Nathan Lee Davies, a service recipient's perspective**

Nathan began by saying that there is much to be excited about in the Act as it offers disabled people more choice and control and a stronger voice.

He did however, express his worry that the Act will be difficult to understand, making it of no use to the people it is designed to help if they cannot understand it and enjoy it being implemented correctly. He would like to see a series of explanatory videos produced for disabled people and their carers.

Following Nathan's talk, the Chair invited questions and comments.

- Jim Crowe informed the group that Prof. Luke Clement's article was published in their magazine 'Llais' and is also available on their website. Their forthcoming edition of Llais contains an article by Mark Drakeford AM plus Learning Disability Wales' perspective on the Act..

	<p>- Lindsay Haveland added that the Act was discussed at a recent north Wales Community Transport Forum. Concerns were raised amongst members that transport is not specifically referred to within the Act which may lead to people not being able to access services.</p> <p>- How much use will access to information for carers be if there are cuts to funding? The money needs to maintain the standards of care.</p> <p>Margaret addressed the group to respond to some of the concerns. In relation to Nathan’s suggestion of a video, Margaret confirmed that a video would be produced.</p> <p>Financial pressures are a real issue for everybody. Margaret added that austerity cannot be dealt with by cutting services and that careful and considered joined-up thinking was needed to find solutions. The Act will be achieved by people continuing to work together.</p> <p>There were some frustrations raised around the monitoring of direct payments, in particular, the lack of trust in disabled people’s ability to manage them correctly.</p> <p>Mark Jones agreed that the local authority over-monitor direct payments, but that it is a Welsh Audit requirement.</p> <p><b>Action:</b> CPGD to write to Mark Drakeford AM highlighting the issues around the Direct Payments monitoring process imposed on local authorities and how they are impacting on the recipients who are being denied independence.</p>
4.	<p><b>Welsh Government’s Strategic Equality Objectives consultation – Isabel Mortimer, Fairer Division</b></p> <p>As Isabel Mortimer was unable to attend the meeting, this item was not discussed.</p>
5.	<p><b>Welsh Independent Living Grant – Sheila Meadows OBE (Parent Carer) &amp; Paul Swann, Disability Wales</b></p>

**Sheila Meadows OBE**

Over the years, it has been a system whereby disabled people have been able live full and meaningful lives in their communities. It is a system, not a pot of money.

Welsh Government circulated a consultation seeking suggestions on what should happen after the closure. The results did not reflect the views of disabled people and their carers, which was 'a similar system for everybody and for people to have identified needs supported'. Sheila highlighted that the cost to ILF to administer the system was 2% compared to a 17% fee if this was handed over to local authorities to manage. Sheila ended by stating that Scotland have sorted it and Wales should follow.

**Paul Swann**

Paul expressed his annoyance that Welsh Government failed to take notice of Dewis Centre for Independent Living's objections to use Dewis Cymru for the name of the online information portal.

He has received several case studies giving examples of issues faced by Welsh Independent Living Grant (WILG) recipients. Of which he read one. A lady who has used ILF for many years currently employs five people, all of whom earn the minimum wage. Her budget from WILG does not give her enough money to increase the hourly wage even though the national minimum wage has increased by 20p per hour. Paul highlighted some of the issues she faces as a result:

- No central administration to refer this issue to
- Nobody to speak to about the WILG award
- No field social workers
- No central resource pot to increase her award
- LA cannot touch the ring-fenced amount nor add to it.
- Recipients are breaking the law by not paying the minimum wage.

There are a catalogue of serious concerns and nowhere to take them to. Welsh Government don't seem to be looking at future arrangements until the end of this year. Paul stressed that meetings should be taking place now.

	<p>Paul ended by asking Margaret Provis to take these concerns back to Welsh Government and hopefully kick start the work that needs to be done to ensure Wales follow Scotland and Northern Ireland.</p> <p>Margaret noted that the pressing nature of the issues are known to Welsh Government and agreed to report them back to Alistair Davey who will be pleased to hear from the group and will respond quickly.</p> <p><b>Action:</b> CPGD to draft letter to WG highlighting WILG Concerns.</p>
6.	<p><b>Disability Research on Independent Living and Learning (DRILL) – Rhian Davies, Disability Wales</b> Rhian gave the group an update on the work currently taking place and a handout was available.</p> <p>Disability Wales and their partners Disability Action Northern Ireland, Disability Rights UK and Inclusion Scotland have been awarded a grant to carry out Disability Research on Independent Living and Learning (DRILL). The project will run over the next five years. The research will focus on the extent to which disabled people are able to live independently whilst gathering their opinions on how changes could be made.</p> <p>They will undertake research and pilot projects about the barriers disabled people face in achieving independent living. The research will be led by disabled people working together with academics and decision makers in Wales. There are over 40 projects planned, spanning the 5 year period. Workshops will take place across Wales towards the end November, beginning of December.</p> <p>A Programme of Information about Drill was circulated.</p>
7.	<p><b>AGM &amp; Annual Report</b></p> <p><b>AGM</b></p> <p>Both Aled Roberts AM and Mark Isherwood AM agreed to</p>



	<p>stand for re-election and hold the post of co-chairs.  <b>Proposed:</b> Trevor Palmer, <b>Seconded:</b> Eric Owen</p> <p>Paul Swann agreed to continue as Secretary.  <b>Proposed:</b> Vin West, <b>Seconded:</b> Trevor Palmer</p> <p>Paul Swann thanked both Chairs for their contribution to the group.</p> <p><b>Annual Report</b>  A copy of the annual report was circulated. Aled Roberts AM reported that group's expenses for the year totalled £967.66. He reminded them that the meetings are funded by the Wales Disability Reference Group (WDRG) comprising of Disability Wales, Mind Cymru, Wales Council for the Deaf, Wales Council of the Blind and Learning Disability Wales.</p>
8.	<p><b>AOB</b></p> <p><b>Jim Crowe</b> – The UK Government's decision on the National Living Wage is putting heavy pressure on the commissioning of supported living services. As a result, supported living providers, who are primarily from the Third Sector, are being confronted with very large bills and no funding available from commissioners to plug the gap. Learning Disability Wales are currently in conversation with ADSS, WLGA and other Thirds Sector organisations about this.</p> <p><b>Jim Crowe</b> – Local Health Boards are being encouraged to look at how they assess people with learning disabilities around continuing healthcare. It is likely that more people will be encouraged to move from support from social care to the medical model of continuing health care. That will mean that they will no longer be able to receive direct payments. The consequences will put people with a learning disability at risk of being labeled in order to access primary healthcare services.</p> <p>Mark Isherwood AM added that in meetings with the Deputy Minister it was made clear that whereas pooling of statutory health and social care budgets would be empowered under the Act, pooling of personalized or direct</p>

	health and social care budgets would not be permitted. Leaving Wales behind some other parts of the UK.
<b>9.</b>	<b>Future meeting dates &amp; themes</b>  Jan/Feb 2016 – Date TBC