

Government advisers deliver fierce attack on work test

The government is set to ignore recommendations from its own benefits advice body, after it delivered a scathing assessment of the controversial work capability test.

The social security advisory committee (SSAC) had been examining proposed changes to the work capability assessment (WCA), a test introduced by the Labour government to assess eligibility for out-of-work disability benefits and now at the heart of the coalition's welfare reforms.

The Department for Work and Pensions (DWP) insisted it would still introduce the changes – set to come into force in March – even though the committee said many of them should be postponed.

Government figures show the changes will lead to an increase in the proportion of new claimants found fit for work from 66 per cent of completed assessments to about 73 per cent, or an extra 75,000 people over three years, as well as a 13 per cent rise in appeals.

Campaigners have argued repeatedly that the WCA is not fit for purpose, and have called for major improvements before the government rolls out the test to an estimated 1.5 million people still receiving old-style incapacity benefit (IB), at a rate of 10,000 tests a week. The national rollout will start this spring.

In a report published today, the SSAC describes the WCA as lacking in “credibility” and says it fails to take into account whether disabled people found fit for work are “actually employable”, because of the discrimination they face.

And it says it is “unreasonable and perverse” to force disabled people found fit for work onto the mainstream jobseeker's allowance when they cannot be expected to comply with its strict regime.

The report also delivers a brutal assessment of the WCA's points-based scoring system, which it says cannot guarantee objectivity or consistency.

The committee says several controversial changes to the WCA – recommended by an internal review carried out under Labour – should be postponed until the

government has evaluated the results of pilot projects in Aberdeen and Burnley that have used the test to reassess people on long-term IB.

The DWP said it would ignore this recommendation, although it agreed with the need for “more empathy, improved communications with claimants and better decision making”.

A DWP spokeswoman said the government was continuing to carry out reviews of the test and implement their findings, including those from Professor Malcolm Harrington’s independent review, which would address some of the committee’s concerns.

But she said: “We don’t have to accept recommendations from the committee. We don’t have to implement everything they say.”

The report was released as the government published new regulations it said would improve the WCA.

Neil Coyle, director of policy for Disability Alliance, said: “The SSAC and Disability Alliance are in complete agreement that the WCA needs significant improvement before 10,000 people are forced to undergo the test every week.”

Meanwhile, the first figures from the Aberdeen and Burnley pilots show that of 1,347 decisions made using the WCA, about 30 per cent of people already on IB were found fit for work, with 31 per cent placed in the ESA support group, and 39 per cent in the ESA work-related activity group.

The figures are likely to increase concerns over the WCA, as the DWP had estimated that only 23 per cent of IB claimants would be found fit for work, although it also predicted only about 19 per cent would be placed in the support group.

10 February 2011

Cuts ‘will leave equality watchdog emasculated’

The equality watchdog's commissioners are to be asked to approve a programme that will make more than half of its staff redundant.

Union representatives who obtained the plans for the Equality and Human Rights Commission (EHRC) say the cuts would leave the commission with just a third of the combined staff of the three equality bodies it replaced in 2007.

Commissioners will be asked to reduce staff from 416 posts to just 200, about a third of the staff working for the Disability Rights Commission, the Commission for Racial Equality and the Equal Opportunities Commission in 2007.

The figures were given to representatives of the Public and Commercial Services Union (PCSU) by EHRC managers. The union said it believed the cuts would include outsourcing the EHRC helpline, which could lead to about 60 job losses, and the closure of the commission's regional offices.

The EHRC's budget for this year, 2010/11, appears to have already been cut from about £62 million to £53 million, and is set to fall to £45 million in 2011/12. Reports suggest it will be slashed to just £22.5 million by 2015.

In a letter calling on their commissioners not to approve the cuts, EHRC staff from the PCSU said they believed the government was "effectively seeking to close the body entrusted by parliament to protect and promote equality and human rights in the UK".

Mike Smith, chair of the EHRC's disability committee and an EHRC commissioner, declined to be interviewed about the cuts.

Anne Begg, the disabled Labour MP, said she believed the cuts would leave the EHRC "emasculated to such an extent that it will be difficult for it to do its job properly".

She said she feared it would not be able to carry out its statutory functions, and that much of the good work and practical help for disabled people that was carried out by the DRC was already not taking place.

She said: "Goodness knows what they are going to be able to do now. The body that should be there to speak out about these things will not have the staffing or funding to do so."

An EHRC spokeswoman said decisions on its future role would be taken “over the next few months”.

But she agreed that the cuts would have a brutal impact on the work it could afford to do.

Another spokeswoman said later: “We aim to spend less on bureaucracy and more on ensuring that government and business act according to the highest standards of equality and human rights.”

In a speech to the Policy Exchange thinktank, Trevor Phillips, the EHRC’s chair, claimed the commission was restructuring in order to do its work “more efficiently, for example using ‘lightning strike’ investigations as well as our more lengthy formal legal inquiries”.

But he suggested that the EHRC would concentrate only on taking legal cases against “the Really Bad Guys, like the BNP” rather than on “individual cases, courtroom battles and remedies after something has happened”.

The Government Equalities Office (GEO) said the government’s review of quangos had concluded that the EHRC would “need to be substantially reformed to focus on its core functions”.

A GEO spokesman said: “All public bodies need to tighten their belts and the commission is no different — in the past it has not been careful enough with taxpayers’ money and that has to change.

“We will shortly be publishing our plans for reform of the EHRC, setting out our plans for the commission’s future.”

10 February 2011

BBC wins radio rights to 2012 Paralympics

The BBC has won the UK radio rights to broadcast coverage of the London 2012 Paralympics on its Radio 5 Live news and sports station.

The BBC said it would broadcast an estimated 25 hours of programmes and news on Radio 5 Live during the games, as well as extensive live commentary on its sister station Radio 5 Live Sports Extra.

The stations were awarded the rights this week by the London Organising Committee of the Olympic and Paralympic Games (LOCOG).

A Radio 5 Live spokesman said the “key moments” of the games would be covered on 5 Live, with “blow by blow commentary” on Sports Extra.

Although he said it was too early to say how many hours there would be on Sports Extra, the total number of hours across both stations will be far higher than the 10 hours or so of coverage from the 2008 Beijing Paralympics.

In a surprise decision by LOCOG in January 2010, the BBC lost out on the UK TV rights to Channel 4, which pledged to provide more than 150 hours of “blanket” coverage during the 12 days of the games.

Jane Jones, director of communications for ParalympicsGB, which manages Britain’s Paralympians, said it was “delighted” that 5 Live had been awarded the rights.

She said: “We know they’ll do a fantastic job of covering the games and the British team’s exploits.

“We’re looking forward to working closely with them in the run up to the most important games in our history.”

Adrian Van Klaveren, controller of 5 Live, said: “There’s unprecedented interest in the Paralympics taking place on home soil and we’re delighted to be providing the radio coverage.

“We’re committed to bringing our listeners all of the sporting stories, capturing the human drama and raising awareness of Paralympic sport.”

Lord Coe, LOCOG’s chair, said 5 Live was a “brilliant sports broadcaster” and would be “a perfect radio partner”, while the BBC had been “a great champion of the Paralympic movement”.

10 February 2011

Minister feels the anger during welfare reform webchat

A minister has been forced to confront the depth of anger and fear felt by people with mental health conditions over the government's welfare reforms.

Chris Grayling, the employment minister, took part in a [live online question and answer session](#) organised by the mental health charity Rethink.

Grayling answered 16 questions about incapacity benefit reform in the hour-long session, and although his extensive answers drew some appreciation from some of those who took part, there was also considerable anger and fear expressed over the coalition's policies.

The webchat took place nearly 24 hours after disabled people's minister Maria Miller took part in a similar event organised by the Guardian on disability living allowance reforms.

One of those who took part in the Rethink event told Grayling: "The 'reforms' being forced upon people with mental illness will undoubtedly lead to a serious deterioration in many people's mental health. Absolutely disgusting. People are living in fear, are you proud of that?"

Another asked: "How do you feel about the people with mental health problems who will kill themselves once they are forced off benefits and pressured into unsuitable work and training?"

Grayling stressed that he and work and pensions secretary Iain Duncan Smith would "not use the language of scroungers" when discussing reform, following questions about the much-criticised media coverage of the government's welfare agenda.

And he defended the decision to impose a one-year time limit on people in the work-related activity group who claim "contributory" employment and support allowance (ESA) – the replacement for incapacity benefit.

He claimed the move would bring ESA more in line with the six-month limit for jobseeker's allowance (JSA) and achieve "a sensible balance".

This drew a particularly angry response, with one person asking: “How can you even consider that someone who is healthy and on JSA and someone who is ill and on ESA to have the same needs?”

“What you are really saying is I have 12 months to ‘heal’ and then be thrown to the dogs!”

Another added: “This isn’t a tough decision, it’s an absolute disgrace, a horrific betrayal of those who paid into a system all their lives only to be abandoned at the most challenging time.”

Grayling also pledged that all the recommendations made by Professor Malcolm Harrington in his review of the much-criticised work capability assessment – which tests eligibility for ESA – would be implemented “by the summer”.

10 February 2011

Labour backs majority of government’s welfare agenda

Labour’s new shadow work and pensions secretary has backed large sections of the coalition government’s welfare reforms, but has criticised some of its cuts to disability benefits as “not compassionate”.

In a speech to the Institute for Public Policy Research, Liam Byrne suggested there would be no radical change in direction from the former Labour government’s welfare policies.

He said he would back the coalition government when it puts in place “radical welfare reform that works”.

But he warned that the government’s welfare reforms would fail if there were not enough jobs available.

He said: “Without a faster growing economy, the government’s changes won’t push people into a job. They will push them into a corner.”

Byrne said the coalition was “failing the compassion test” with some of its reforms, including removing the mobility component of disability living allowance (DLA) from most disabled people in residential care.

He said this was not compassionate or supportive but was “a punishment for people who need our help”.

And he said that cutting housing benefit by 10 per cent for all those who have been claiming jobseeker’s allowance for a year – which will affect many disabled people denied out-of-work disability benefits – was also “not compassionate” and was a “punishment”.

But Byrne said Labour agreed with more than three-quarters of the “principled and burden-sharing welfare savings and efficiencies” the government was making next year.

He said he didn’t agree with imposing a one-year time limit on people in the work-related activity group claiming “contributory” employment and support allowance (ESA) – the replacement for incapacity benefit – because it “could hit people recovering from cancer”, although he said a two-year limit “could work”.

He also backed the need for DLA reform, although he warned that if it was “driven by a top-down cuts target” it risked denying support for “those in search of a more independent life”.

The government has imposed such a target, saying it wants to cut spending on working-age DLA – and the number of working-age claimants – by 20 per cent by 2016.

The disability poverty charity Disability Alliance (DA) welcomed Labour’s apparent move “away from the simplistic tone of office” and the “helpful” recognition that there must be “genuine work opportunities” available if welfare reform was to work.

DA added: “We believe DWP must develop, in partnership with employers, sustainable employment opportunities for disabled people rather than focus on reducing benefit levels.”

10 February 2011

Government ‘caused misleading stories’ with DLA information

The government has been accused of causing disabled people “significant alarm” after releasing information about disability living allowance (DLA) that led to “misleading” media coverage.

The complaint came in a letter from the Disability Benefits Consortium (DBC) – a coalition of disability and welfare advice organisations – to Maria Miller, minister for disabled people.

Members are particularly angry about a Daily Mail article on 3 February, headlined: “The great disability benefit free-for-all: Half of claimants are not asked to prove eligibility.”

The article – based on information released by the Department for Work and Pensions (DWP) – says nearly a million disabled people have been claiming DLA for more than 14 years, while half of claimants have never been asked for evidence to support their claim.

The consortium says the article concludes misleadingly that DLA is “over-claimed and under-scrutinised” and implies that it should be “time-limited”.

The letter says: “It is extremely worrying that the DWP campaign information has been used to suggest a person’s impairment or health condition and related higher costs somehow disappear over time.”

And it warns the DWP of its obligations under the Equality Act not to “generate stigma, persecution or harassment of disabled people requiring support from the welfare system”.

The letter says the information’s release so close to publication of the government’s welfare reform bill was “deeply unhelpful” and caused many disabled people “significant alarm”.

Following similarly misleading and inaccurate stories around fitness for work tests and incapacity benefit reform, the consortium is to ask the Press

Complaints Commission (PCC) to arrange a meeting with newspaper editors to “ensure disabled people and benefits are covered accurately”.

Neil Coyle, director of policy for Disability Alliance (DA), a consortium member, said he believed it was “no coincidence” the information was released so close to publication of the bill, which will include details of far-reaching reforms affecting working-age DLA claimants.

Coyle said the DWP’s “campaign dossier” allowed “scope for misunderstanding of the purpose of DLA”, and led to coverage that caused “stigma and discrimination against disabled people who need support”.

The letter asks Miller for reassurance that the DWP has challenged the media over the inaccurate DLA stories.

The DWP declined to comment on the letter.

The PCC said 44 people had lodged complaints about the Mail story on the grounds of accuracy.

Last week, a similar PCC complaint was lodged over another Mail story which accused disabled people of “trying it on” in a bid to secure incapacity benefits.

The Daily Mail said it would respond to the PCC complaints.

10 February 2011

Miller’s online DLA answers spark fury

Disabled people have reacted furiously to the minister for disabled people after she took part in an online question and answer session about the government’s disability living allowance (DLA) reforms.

Maria Miller answered just seven of [scores of questions posted by visitors to the Guardian’s website](#).

Many were angry that she avoided answering the tougher questions, and instead repeated familiar government lines about its reforms.

Miller, who revealed that she lives with her disabled mother, said the DLA system had no “inbuilt system of review” and had an “unwieldy” assessment process, and needed updating to make it “more transparent, consistent and fair”.

Many of those taking part raised concerns about plans to remove the mobility component of DLA from most disabled people in residential care.

Miller again claimed it would remove the “overlap” between the mobility component and the obligations of local authorities and care homes to provide transport for residents.

Some questioned the coalition’s apparent willingness to fuel “smears” about disabled people and disability benefits that have appeared in the media.

Miller failed to criticise the media, instead claiming that “cases of fraud bring the benefit system into disrepute and this is bad for everyone”, which was why people with “legitimate claims need a benefit system that has robust assessment”.

The disabled activist Rhydian Fon James told her: “The reasons given for DLA reform are not robust, with little evidence to support the case for reform and, importantly, no independent academic research.”

Miller said the government’s research was “generally” commissioned by the DWP from “external academic and independent researchers and this is what was used as evidence in the consultation”.

One disabled war pensioner said afterwards that Miller had failed to answer “a single serious question”, while others described her efforts as “a joke” and “a travesty”.

Another described the exercise as “an absolute waste of time” and added: “I hope you can see just how frightened people are at the thought that, by a tick in the wrong box... our safety nets will fall and we will be left to suffer with absolutely no compassion by our government.”

Meanwhile, 60 disabled campaigners have lobbied MPs about the mobility component plans.

They said it would have “a devastating impact on 80,000 disabled people who rely on the allowance to maintain their independence by covering the costs of getting around”.

The House of Commons event was organised by a coalition of disability charities, led by Leonard Cheshire Disability, Mencap and Sense.

10 February 2011

Council delivers death blow to leading self-advocacy organisation

One of the country’s leading self-advocacy organisations will be forced to close next month, after a council withdrew its funding without any warning.

Members of People First Lambeth (PFL), run by people with learning difficulties and set up in 1985, said the decision by Lambeth council not to renew annual contracts worth £118,000 meant it would close on 31 March.

The funding makes up 94 per cent of PFL’s annual revenue. Two people with learning difficulties will lose their jobs.

PFL members have trained doctors and other public sector workers, run support groups, and have written a book which is on the Royal College of Nursing’s recommended reading list.

PFL has worked with organisations such as the government’s Valuing People Now team and the Social Care Institute for Excellence.

The council’s decision came only two months after PFL members wrote to the prime minister and deputy prime minister to protest about the impact of the coalition’s spending cuts on people with learning difficulties. They have yet to receive a reply.

Georgina Barret, one of PFL’s members, said: “As far as I am concerned they sit on their butts and do all the paperwork but they don’t come and see how we operate and what we do.

“My message would be: you are not going to find an organisation like this and you are going to regret what you have done. It is very sad.”

Jennifer Taylor, another member, said: “I think it is very sad why the government have done this to us. I am disgusted. Where are people with learning difficulties going to go and what are they going to do with their lives?”

Lambeth council said it had to find savings of £79 million over three years, about a third of its budget, due to government cuts.

Cllr Jim Dickson, the council’s cabinet member for health and wellbeing, said: “We’ve worked hard to protect funding for dozens of organisations that do important work with vulnerable adults across the borough, but for a number of reasons, we have had to take the decision not to renew our contracts with People First Lambeth.”

He said the council planned to cut £200,000 from services for people with learning difficulties, less than one per cent of its spending in this area.

He added: “We will of course be working with People First Lambeth to make sure their clients are directed to other sources of support.”

To watch a film made by PFL about the decision to remove its funding, visit: www.youtube.com/watch?v=os9_5pmXUUw

9 February 2011

Maynard faced disablist abuse from Labour MPs ‘more than once’

A disabled MP who claimed he was mocked over his impairment by Labour MPs in a Commons debate believes similar abuse has taken place on several occasions.

The Conservative MP Paul Maynard, who has cerebral palsy, revealed in a newspaper interview how opposition MPs pulled faces at him, “really exaggerated gesticulations, really exaggerated faces”.

He added: “Only they know for certain whether they were taking the mick out of my disability. But it certainly felt like it. That is why politics is held in such low esteem.”

Following the interview, Stephen Brookes, a coordinator of the Disability Hate Crime Network and one of the MP’s constituents in Blackpool, said Maynard told a hate crime conference in the town last November that he had been mocked by Labour MPs on several occasions.

Brookes said: “When he spoke to us at the event, he made it clear that right from the start people had found it quite funny that he had a speech impairment.

“If this is the way MPs treat us, then no wonder there is hostility developing [in wider society].”

The Commons speaker, John Bercow, told Disability News Service: “I have spoken to Mr Maynard who is keen that no further action is taken in relation to the incident you mention and I will respect his wishes.

“I can assure you that I am not complacent about any cases of discrimination or abuse. I have spoken extensively about the need to eradicate abuse and boorish behaviour in the chamber.

“Any member who feels that they have been the target of abuse in the chamber, on whatever grounds, should raise the issue with me.”

Last year, Bercow told a joint meeting of all party groups, including those on disability and learning disability, that he would be the “disabled person’s champion”.

That meeting followed the speaker’s conference on parliamentary representation – which he chaired – which reported on ways to increase the number of disabled, female and minority ethnic MPs.

The disabled Labour MP Anne Begg, who was vice-chair of the conference, wasn’t in the chamber during the debate, but she said: “It is hard for me to believe that some of my colleagues would behave so appallingly, although I do know that the chamber can be quite a raucous place at times.

“At no point have I ever felt intimidated in that way. But the chamber will react to what people say if they think someone is saying something they disagree with.”

Maynard has declined to comment further.

9 February 2011

EHRC boss calls for government to take equality action on recovery

The head of the equality watchdog has called on the government to ensure that the recovery from recession does not leave disabled people and other minority groups behind.

Trevor Phillips, chair of the Equality and Human Rights Commission (EHRC), said in a speech to the Policy Exchange thinktank that equality and inclusion were “good for our economy” and that “being fair, and being seen to be fair” were vital parts of “bringing Britain back to prosperity”.

He called for a programme that would “bring every part of government to bear on the task of ensuring that the effects of painful spending reductions of the next few years will be fairly distributed by social grouping”.

Phillips said that if “jobs and prosperity return for everybody except women, ethnic minorities, the young, the old or disabled people then we will still be paying the welfare bill for people who are kept out of work by discrimination”.

He said the commission could play a major part in the recovery by enforcing the Equality Act to ensure that the government’s spending review was implemented fairly.

An EHRC spokeswoman said afterwards that Phillips wants the government to back “determined action against discrimination” and wants to ensure that its economic strategy is “paralleled by an inclusion plan that prevents cuts and unemployment isolating some communities still further”.

Phillips also said in his speech that the EHRC could increase the confidence of employers that anti-discrimination laws would not “land them with huge liabilities if they take on more women, older, minority or disabled staff”.

The EHRC spokeswoman made it clear that this referred partly to companies that use new laws under the Equality Act that will allow “positive action”.

From April 2011, when faced with candidates of equal merit, employers will be able to choose the one who is from a group that is under-represented in their workforce, such as disabled people.

Phillips also suggested in his speech that the EHRC could carry out regular surveys of the impact of cuts, and provide evidence to help public bodies focus their resources on those who need them most.

And he said the EHRC needed to be a regulator and leader but not a “state-funded pressure group”.

9 February 2011

Spending cuts ‘risk reversing decades of progress’

Government spending cuts risk reversing decades of progress towards more independence and control for people with learning difficulties, according to leading members of the self-advocacy movement.

Two prominent activists with learning difficulties spoke out this week as they backed a new campaign that opposes cuts to benefits and services for disabled people.

Steve Robertson, chair of People First (Scotland), said he was angry that funding for self-advocacy organisations was under threat across Scotland.

He said: “One of the things that makes me more angry is probably in the last 10 or 20 years we have come a long way to moving on from ‘service land’ to people being more in control over their lives.”

He said he feared the cuts would risk the progress that had been made, with people moving out of the old institutions and into the community.

He added: “With the cuts there is a real worry that to save money [they will] go back to people sharing where it would work out cheaper.”

Jackie Downer, another prominent activist with learning difficulties, said: “It is like we are going back to the early 1980s and 1990s and fighting again.”

She said people with learning difficulties were having to refight the battles they fought and won for self-advocacy funding.

She said: “It makes me cry. It makes you want to chain yourself to one of the politicians. They are taking our lives away, they are taking our resources away. They don’t care.”

Self-advocacy organisations – like People First Lambeth – were already being forced to close, she said.

[The Campaign for a Fair Society](#), launched with a full-page advert in The Times, says the cuts are “counter-productive” and “unfair”.

Downer said: “I feel angry because it is not a fair society, it is a scary society.”

Baroness [Jane] Campbell, who is also backing the campaign, said she hoped it would be one of many “over the coming months to prevent our hard-won personal support being withdrawn in the name of ‘public service prudent cuts’”.

She added: “It is not prudent to force disabled people back into dependency, which is inhumane and expensive.”

Among cuts highlighted by the campaign are those to council funding, the closure of the Independent Living Fund to new members, and the decision to scrap the mobility component of disability living allowance for most people in residential care.

And the campaign says cuts to funding for the Support for Mortgage Interest scheme have “effectively rule out shared home ownership for disabled people”.

9 February 2011

News provided by John Pring at www.disabilitynewsservice.com