Evidence to the Scottish Parliament Health and Sport Committee on Welfare Reform: Response from the Independent Living in Scotland project (November 2011)

This response has been prepared by the Independent Living in Scotland (ILiS) Project Team on behalf of the ILiS Steering Group

“Disabled people need the kind of welfare state which is not a mere ‘safety net’ but which invests in tackling disabling barriers and in providing resources to meet the additional costs related to impairment. DLA is an example of a reasonable adjustment which takes a monetary form – although of course it is not sufficient to cover full costs.

A similar approach should be taken to out-of-work benefits and employment support in that both should be seen as reasonable adjustments, on the one hand compensating for loss of income while at the same time tackling disabling barriers to employment.

In making this case, we need to counter the idea that welfare payments are nothing more than a drain on the economy. They should instead be seen both as an indicator of collective social responsibility and social justice’ ... and as increasing the spending power within the economy: low income households spend most of their money within local economies and disabled people are particularly reliant on labour-intensive services, thereby generating employment.

Welfare payments (and adult social care services) are therefore not only crucial to delivering ‘reasonable adjustments’ for disabled people, thereby increasing their well-being and life chances, but are also key to the wider health of the economy. Both need to be freed from the stigmatisation and social exclusion which is associated with being in receipt of either, and their contribution to a socially just society fully recognised.”

(Extract from “Re-thinking disability policy”, Jenny Morris, November 2011, Joseph Rowntree Foundation
1. Independent living in Scotland

The Independent Living in Scotland project

1.1. The Independent Living in Scotland project (www.ilis.co.uk) is funded by the Scottish Government, hosted by the Equality and Human Rights Commission (EHRC) and steered by a group of disabled people. It is part of the wider Scottish Government initiative on independent living. It aims to support disabled people in Scotland to have their voices heard and to build the disabled people’s Independent Living Movement (ILM).

The wider independent living in Scotland agenda

1.2. The ILiS project is part of a wider Scottish Government Programme which seeks to mainstream the principles and practices of independent living within the general economic and social policy of Scotland. The Scottish Government’s commitment to independent living is set out in the “Vision for Independent Living” (http://www.ilis.co.uk/independent-living/a-vision-for-independent-living-in-scotland/). This Vision was co-signed by CoSLA, alongside the Independent Living Movement in Scotland and NHS Scotland.

Independent living

1.3. Independent Living means “disabled people of all ages having the same freedom, choice, dignity and control as other citizens at home, at work, and in the community. It does not mean living by yourself, or fending for yourself. It means rights to practical assistance and support to participate in society and live an ordinary life”. With such support, disabled people can exercise their rights and duties of citizenship via their full and equal participation in the civic and economic life of Scotland – thereby changing the public misperception of them as being a drain on society’s resources rather than an active contributor.

1.4. The principles of independent living, **freedom, choice, dignity and control**, do not only relate to specific services and provisions for disabled people, but to the whole of disabled people’s interactions with society; its organisations, facilities and structures; and every aspect of their quality and equality of life. These principles are underpinned by the following basic rights.

- Full access to our environment
- Fully accessible transport
- Technical aids and equipment
- Accessible and adapted housing
- Personal assistance
- Inclusive education and training
- An income, including income within the state-benefit system for those unable to work
- Equal opportunities for employment
- Accessible and readily available information
- Advocacy and working towards self-advocacy
- Counselling, including peer counselling
- Accessible and inclusive healthcare provision
- Communication and appropriate support for communication
- Civic participation

2. Independent living and Welfare Reform

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1 http://www.ilis.co.uk/
2.1. Independent living recognizes that all of the rights at 1.4 are crucial for disabled people to realise their human rights. Without such a proactive and preventative approach, equal enjoyment of human rights is not possible for disabled people (please also see the ILiS responses to the Scottish Parliament Finance Committees inquiry’s into preventative spending in August 2010 and their scrutiny of the draft budget in August 2011 and the ILiS response to the Christie Commission http://www.ilis.co.uk/get-active/independent-living-policy/consultation-responses/).

2.2. For this reason, we remain concerned at the direction of Welfare Reform which will see this support for disabled people drastically reduced. We share the concerns of Inclusion Scotland in terms of the depth and impact of such cuts and would refer the reader to their submission to the committee and their briefing on Welfare Reform3, for details of this.

2.3. ILiS would like to specifically draw the committee’s attention to the specific impact that the reforms will have on independent living and the Government’s commitment to it, detailed at 1.2 above.

3. The context of Welfare Reform

3.1. Independent living recognises that to enjoy the same freedom, choice, dignity and control as non disabled people, support is necessary. This support is varied and interconnected (1.4 above) and includes many aspects of the support considered in Welfare Reform; Disability Living Allowance, Housing Benefit, Employment Support Allowance and Universal Credit. Despite its value, the human rights protections that underpin it and the Government’s aspiration for it, the right to independent living and support to ensure it, is not yet realised and is threatened by the proposed Welfare Reforms:

a. When the extra costs of being disabled are taken into account, 47.5% of families with disabled people in the household, live in poverty4
b. Only 50% of disabled people of working age are in work, compared with 80% of non disabled people of working age5
c. Disabled people officially constitute only 6% of formal volunteers and around 4.3% of public appointments across Britain. This is compared to 20% of the population at large6
d. 23% of disabled people have no qualifications compared to 9% of non disabled people7
e. By the age of 26, young disabled people are more than three times as likely as other young people to agree with the statement “whatever I do has no real effect on what happens to me”8. It should be noted that for many specific groups, e.g. people with learning disabilities and mental ill health, the stats can be much more extreme

3.2. Such inequalities are evident, despite the current levels of support accessed by disabled people intended to mitigate these circumstances.

3.3. A disproportionate amount of the reforms and cuts will fall on disabled people. An estimated £9.2 billion will be taken from households containing a disabled person in the proposed reforms9. Inclusion Scotland estimate that approximately £1 billion of this will fall

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3 Inclusion Scotland: “Welfare Reform: Know the Score”, 2011
4 “Destination Unknown”; Demos report, 2010
9 Demos (2011) “Destination Unknown”
on disabled people in Scotland\textsuperscript{10}. With only 50% of disabled people in work, they are more likely to rely on benefits\textsuperscript{11}. Not only will the cuts fall disproportionately on disabled people, they are less resilient to this as the cost of living for disabled people is 25% higher than for non disabled people\textsuperscript{12}.

3.4. In addition, disabled people face a ‘double whammy’ of the reforms; cuts in their pockets and in their services and rising charges for them. The UK Disabled People’s Council found that 90% of DPOs feared that the cuts would have a negative impact on disabled people\textsuperscript{13}.

3.5. The new assessment for DLA (PIP) aims to cut the amount of PIP available by 20% and it is likely that this figure will be higher\textsuperscript{14}. Further, the assessment takes wider provision into account e.g. it looks less at the ‘ability to walk’ and more at the ability to ‘get around’; e.g. if someone has an NHS wheelchair, they would be deemed to ‘get around’, so this would result in a reduction in their PIP. This approach fails to consider reductions and constraints on other budgets and the individual freedom afforded by DLA currently, to top-up/purchase more suitable provision than is available through statutory organisations. It also fails to take into account the wider environment which can and often does restrict wheelchair users’ freedom of movement. Further, the ‘cost of disability’ would be transferred from central e.g. DWP, to devolved or local Governments; e.g. the NHS or care and support who cannot meet the demand. Disabled people will be pushed further into poverty and they will not have access to the crucial support they need to realise their rights as outlined in the UNCRPD.

3.6. Many Disabled People’s Organisations, often those providing support that prevents future dependency, e.g. advocacy organisations, are losing their funding\textsuperscript{15}. Yet, empowering disabled people enables them to contribute to the civic and economic life of their community, coproducing solutions and lowering demand for greater state provision in later crisis situations. Local authorities reprioritise resources to those who need critical levels of support, i.e. ‘life and limb’ provision, coupled with the closure of the ILF to new applicants, means that many disabled people will be left with basic support, or even be taken into residential care as they will not receive the “community support services, including personal assistance, necessary to support living and inclusion in the community and to prevent isolation or segregation from the community” the UNCRPD underpins their right to\textsuperscript{16}.

3.7. Disabled people are not only seeing fewer services and less money, but higher charges for them. Many local authorities are looking to the individual income of disabled people to meet demand. This leaves many disabled people with impossible human rights choices between paying for their home and family, or paying for their care.

“My local authority are allowing us £109 a week to live on and taking 75%, i.e. the rest of our income, towards care. I feel this is far too high and as a home owner with a disability and will give me a big problem, and I guess countless others”

\textsuperscript{10} Inclusion Scotland (2011) “Welfare Reform Briefing”
\textsuperscript{11} Office for National Statistics - Labour Force Survey, Jan - March 2009
\textsuperscript{12} Leonard Cheshire Disability, ‘Disability Poverty in the UK’, Jan 2008, \url{http://www.lcdisability.org/?lid=6386}

\textsuperscript{13} \url{http://www.disabilitynow.org.uk/latest-news2/cuts-threaten-independent-living}
\textsuperscript{14} Emergency Budget ‘Budget 2010 policy costings’ HM Treasury, June 2010
\textsuperscript{15} “Thriving or Surviving”; Disability Lib, 2008
\textsuperscript{16} \url{http://www.ilis.co.uk/get-active/independent-living-policy/ilis-consultation-responses/}
“Today I have received a letter from Community Care Finance, Glasgow City Council stating that I will be paying 50% more for my home care charges, starting from April 2011.”

3.8. The Welfare Reforms suggested represent a retrenchment into the more “traditional” economies of cutting, trimming and delay. This leads to restricting demand, by raising thresholds and leaves disabled people reliant on informal support systems, with less opportunities to participate in their community, pushing them further into poverty and accumulating more need for both themselves and informal supporters, in later years. The gulf between demand and supply, therefore, grows.

3.9. This approach segregates disabled people within their own homes or day centres denying them the opportunity to participate within the community and to realise their rights in the UNCRPD. It also contradicts the Government’s stated intention of Welfare Reforms; to get disabled people into work and to contribute to society; by failing to acknowledge public policy intentions aspiring to independent living and that this needs a right to practical assistance and support to ensure disabled people can participate in society and live an ordinary life.

3.10. Against the backdrop of both the poverty and inequality of disabled people as well as reductions in services to support them, further attacks on income broaden the gap between their rights and their actual experience of them; such “regressive government policies seriously undermine the rights of disabled people and the UN Convention on the Rights of Disabled People”\(^{18}\).

3.11. As the extract above, from the Joseph Rowntree Foundation’s report says:

3.12. “Disabled people need the kind of welfare state which is not a mere ‘safety net’ but which invests in tackling disabling barriers and in providing resources to meet the additional costs related to impairment. … Welfare payments and adult social care services) are therefore not only crucial to delivering ‘reasonable adjustments’ for disabled people, thereby increasing their well-being and life chances, but are also key to the wider health of the economy”\(^{19}\).

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Independent Living in Scotland Project: August 2011
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\(^{17}\) Emails to ILiS April 2011
\(^{18}\) http://www.disabilitynow.org.uk/latest-news2/cuts-threaten-independent-living
\(^{19}\) Morris, J (2011) “Rethinking disability policy”. Joseph Rowntree Foundation