

Cross-Party Group on Disability

Wednesday 6 December 2023 at 1pm-2.30pm on Teams

Minute

Present

MSPs

Jeremy Balfour MSP (Convener)

Pam Duncan-Glancy MSP (Deputy Convener)

Shirley-Anne Somerville MSP, Cabinet Secretary for Social Justice

Julia Shillitto (Secretariat)

Mike Harrison (Treasurer)

Rhona McGrath (Office of Jeremy Balfour MSP)

Jack Donald (Policy Officer, Scottish Government)

Invited guests

Eilidh Dickson, Scottish Human Rights Commission

Peter Scott, Independent Living Fund (ILF)

Non-MSP Group Members

Alison Pendragon

Jill Pritchard

Diana Winfield

Linda Bamford

Sue Bowen

Gavin Yates

Terry Robinson

Colette McDiarmid

Joanne Devit

Lorna Cameron

Fiona Souter

Marg McNiel

Lyn Pornaro

Claire D'All

Carol Burt

Stephanie Fraser
Mark Gaffney
Maggie Ellis
Tanya Knight

The non Members of the CPG attending at the 6 December meeting were:-

Jacqueline Cowan – Police Scotland – Observer
Emma Innocent – Observer
Sarah Reilly – Observer
Dr Vikki McCall – Observer

Apologies

Katy Clark MSP
Rebecca Scarlett
Robin Wickes
Robert Mooney
Seonaid Cooke
Jenny Miller
Hussein Patwa
Salena Begley
Maureen Morrison
Rebecca Allen
Dr Caroline Gould

Agenda item 1

Welcome to Cabinet Secretary for Social Justice, Shirley-Anne Somerville.

Last meeting 13th Sept 2023 and minutes from that meeting accepted.

Approval of new CPG Members

Welcome to 2 new groups joining CPG – Horizon Housing Association (Jill Pritchard) and SAMH

Agenda item 2

Q&A with Cabinet Secretary for Communities, Social Security and Equalities

Q: Marg McNeil – question regarding fully inclusive photograph app – See Around Britain

A: Cabinet Secretary – there are effective ways we can use apps/social media to ensure we are designing solutions to barriers people face. It is key we do have apps like this available – focus on breaking down the barriers disabled people face. While useful, we need to work on improving access overall – work of Access Panels etc is vital

Q: Alison Levens – question regarding discrimination when disabled people arrive for interviews with assistance dogs

A: Cabinet Secretary – this is the responsibility of individual organisations to comply with the Equality Act but Scot Govt needs to support people who feel they need to take a complaint forward.

Q: Lorna Cameron –question regarding accessible homes and inclusive living – how we can pull strands together to address the chronic shortage of accessible homes

A: Cabinet Secretary – we need to work across Govt portolios– both her portfolio (equalities and housing) and across to health portfolio. Scot Govt have targets for affordable homes – but they have also got to be accessible housing. Local authorities have important work to analyse demand and plan through their local housing strategies.

Q: Mark Gaffney – question regarding people on benefits fearing losing their benefits if they are seen to be physically active

A: Cabinet Secretary – people should feel reassured if applying via Social Security Scotland for CDP or ADP – Social Security Scotland are not there to catch people out. Importance of physical activity cannot be underplayed – both socially and physically. Important for mental health. People should be reassured that they have an entitlement to social security.

Q: Mark Gaffney – Question regarding cost of Living crisis and access to sport in light of recent swimming pool and leisure centre closures.

A: Cabinet Secretary - Comes down to decisions made at local authorities with leisure services. Going through budget process at moment to give them a fair settlement. Need to support people into physical activity – Scot Govt funds Disability Sport and works closely with them.

Q: Sue Bowen – Question regarding dyslexia and reasonable adjustments costs. Financial assistance for testing adults for dyslexia?

A: Cabinet Secretary – We don't currently fund adult dyslexia tests but keen to help people discover if they have dyslexia. Access and Inclusion Fund is available

through Scottish Funding Council for students. Disabled Students Allowance as well. Therefore, no adult fund but two funds for students via education services.

Q: Colette McDairmid – Question regarding Motability – can we change eligibility to allow PADP recipients to access Motability scheme

A: Cabinet Secretary – Safe and secure transition of benefits a priority, so won't change eligibility to stop there being different rules for transfers vs new claimants. Main priority to get payments when expected. Once safe and secure transition is complete, we need to look at cost (last paper was pre Covid) £850m. Funds would need to be found from Scottish Block Grant. Also need to look at effect on passported benefits to ensure any change to eligibility to PADA doesn't harm overall level of financial support to a claimant.

Other Questions online

Q; Marg McNeil – What will they do to actively engage with our app.

A: Cabinet Secretary – her officials will get in touch to make contacts. Secretariat to sort out details.

Q: Maggie Ellis – During time of previous FM, CPG on Disability did a major review of accessibility, in particular CPTs, and also wrote to new first minister in Oct and suggested a meeting. Need Cabinet Secretary to help with this ie Edinburgh airport – locked accessible toilet.

A: Cabinet Secretary – will get Scot Govt officials to chase up letter to FM and have a look and see what has gone on. Keen to see what more we can do around CPTs in particular to encourage and support people to have more of these facilities.

Q: Stephanie Fraser – Transfer of people from CDP and ADP – current assessments rely on families and therefore unpaid carers and can hinder people in adulthood to live independently.

A: Cabinet Secretary – want to make the transition better from CDP to ADP but not a simple matter. Keen to learn about gaps between policy intent and policy rollout.

Questions/Comments online on Chat function

Alison Pendragon – question regarding CPTs – why are they locked and is EHRC in part responsible for the toilets – they are responsible for enforcing to EA2010.

A: Cabinet Secretary – will ask officials to get back to CPG Disability on this issue.

Agenda item 3

Eilidh Dickson from SHRC Presentation

Presentation: UN Convention on the Rights of Disabled people – update.

Who are SHRC

- National Human Rights Institution for Scotland.
- Independent and budget set by Scottish parliament
- Meet international Standards and report directly into UN

Liaising with committee on the Rights of Persons with Disabilities

- Treaty reporting
- Inquiry power of committee – look at violations on convention etc
 - In enquiry into UK welfare reform agenda in 2012 – made 11 recommendations to the UK (disrupted due to Covid).
 - Follow up dialogue announced in March 2023.
 - Evidence that the 11 recommendations had not been fully implemented.
 - In person dialogue – split between CSOs, DPOs etc
 - SHRC are part of UKIM (UK Independent Mechanism)

Findings – from commissioned SILC report

- Social care facing long standing challenges
- Human rights are not fully embedded in the draft proposals for national care service
- Lack of meaningful engagement with disabled people in policy choices
- The rights in CRPD are not fully realised in planning and service delivery.

Next Stages

- Gave evidence to committee back in August 2023
- UK Govt dialogue with CRPD in March 2024.

Scottish Govt response to date

- Consulting on proposals for a Human rights Bill for Scotland
- Reopening independent living fund

ACTION - Slides will be shared after the meeting.

Questions to Eilidh Dickson from SHRC

Q; Alison Pendragon – The UK is in breach on Article 3 UNCRPD. All over the UK there is discrimination for people with assistance dogs ie travel, shopping, education, housing.

A: Eilidh Dickson – all of the rights of the convention should be available to all without discrimination. But some are Equality Act provision so falls in complicated

constitutional area. Hard to find out who is the responsible actor – the Equality Act or UNCPRD. SHRC cannot give individuals legal advice so have to refer people to EHRC.

ACTION: Alison to email Eilidh to discuss further.

Q: Maggie Ellis – CPGs have lost reputational value. SHRC should have been in contact with CPG on Disability before their report was written, not afterwards. Slides for people with sensory problems are difficult to read.

A: Eilidh Dickson – will take presentation comments on board. SHRC don't have a standard way of doing engagement for work – that is why they commissioned the SILC group. Happy to come back to CPG at next round of reporting.

Agenda item 4

Peter Scott, CEO from ILF (Independent Living Fund) Scotland Presentation

- ILF Scotland to open new applications in April 2024.
- ILF initially run by Westminster by DWP in 1988.
- ILF initially established as a short-term measure to stop people being put into short term care and to allow people to continue to live at home
- ILF was liked so became a longer-term organisation
- ILF more expensive and took decision to close fund entirely in 2015 – major campaign to try and keep it open
- Money devolved to local authorities in England but in Scotland, ILF Scotland took over since 2015.
- UNCRPD NI's Shadow Report – the NI ILF centre is stated as “a prime example of best practice”
- Feely Review and ILF Scotland – highlighted ILF should form part of the suite of services suited at national rather than a local level.
- Sept 2023 in Programme for Govt – reopened in phased basis initial £9m in 2024-25 to enable up to 1000 people
- Events being held across the country and online in Dec and January. First event at Murrayfield in 12th December. Can send link to sign up page if requested.
- Look at criteria of fund etc in new landscape with SDS etc. £9m won't go far in year 1 – how to get to those most in need.

Questions to Peter Scott from ILF Scotland

Q: Maggie Ellis – we need a bigger picture of Scotland – not just Edinburgh-centric! Slides need to be more accessible. And CPG Disability should be consulted.

A: Peter Scott – there are online events for Highlands & Islands. Have held events in Inverness previously but only 2 people turned up. So will be online to try and get as many people as possible online.

Q: Fiona Souter – is there a transition fund for young adults

A: Peter Scott – Yes! Opened in Dec 2017. Supports those 16-25yrs - one off grants not monthly payments. Help young people take part in community etc. Lots of information on ILF Scotland website. It's inundated for applications at the minute since pandemic.

Agenda Item 5

AOB

1. First Summit on Disability held in the Scottish Parliament on Saturday 25th November 2023. Can view online on the Scottish Parliament website TV. Hoping to do again in next couple of years. Feedback form for attendees will be coming out soon.

<https://www.scottishparliament.tv/meeting/summit-to-mark-international-day-of-persons-with-disabilities-november-25-2023>

2. Link from Link Housing – Informative.
3. Disability Access Panel Report – Jeremy is keen to get paper distributed to Govt officials so if any final comments then please feedback as soon as possible and by 10 January 2024 at the latest.

Next meeting

7th February 2024 – this will be held online due to weather considerations. Further information will follow nearer the time.

Merry Christmas and Happy New Year!