



Llywodraeth Cymru
Welsh Government

PUBLICATION

Cabinet paper: Disability - update on the Disability Rights Taskforce

Cabinet paper CAB(21-22)100

First published: 20 October 2022

Last updated: 20 October 2022

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Contents

Decision required

Summary

Objective of the paper

Disability Rights Taskforce

Developing a whole of government action plan

Incorporate the UN Convention on the Rights of Disabled People into Welsh law

Impact

Communications and publication

Recommendation

Statutory, finance, legal and governance matters

Disability evidence - underlying trends

Disability Rights Taskforce – priorities and working groups

Work underway across Government - initial mapping

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Decision required

Cabinet is asked to:

- Note progress on the work of the Disability Rights Taskforce and the invitation to attend Taskforce meetings to update on areas within ministerial portfolios as appropriate.
- Reinvigorate the application of the Social Model of Disability ensuring this is consistently applied through all work of Welsh Government.
- Commit to co-production with disabled people and disabled people's organisations in the development of the Cross-Government Disability Rights Action Plan for Wales.

As part of the above decisions Cabinet will want to consider how the delivery of the Programme for Government commitments and objectives can be done in a way which removes barriers for disabled people, examples of which are at Annex D.

Summary

1. In 2021 the First Minister established the Disability Rights Taskforce which brings together people with lived experience, Welsh Government policy leads and representative organisations to address the issues and barriers highlighted in the Locked-Out Report, which affect the lives of many disabled people.
2. This paper provides an update on the work of the Taskforce, the approach to developing a cross-government action plan and the need to reinvigorate the application of the Social Model of Disability as we deliver our aspirations for a stronger, greener and fairer Wales for everyone.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Objective of the paper

3. In our **Programme for Government** (June 2021), one of our objectives is to celebrate diversity and move to eliminate inequality in all of its forms. It also commits to:

- Use the new network of Disabled People’s Employment Champions to help close the gap between disabled people and the rest of the working population.
- Make our Welsh public transport system more accessible to disabled people
- Incorporate the United Nations Convention for the Elimination of all forms of Discrimination against Women and the UN Convention on the Rights of Disabled People into Welsh law.

4. The **Co-operation Agreement** and policy programme (November 2021) recognises that the Welsh Government and Plaid Cymru have a shared determination to strengthen the rights of disabled people and tackle the inequalities they continue to face. We are committed to the social model of disability and together we will ensure the success of the Disability Task Force set up to respond to the Locked Out report.”

5. The ‘**Locked Out: Liberating disabled people’s lives and rights in Wales beyond COVID-19**’ (July 2021) report highlighted the toll the pandemic has taken on disabled people, exacerbating existing inequality and generating additional harms. This report was done to shine a spotlight on new and existing challenges which the pandemic brought to the fore, and to consider how the Welsh Government’s Action on Disability Framework for Independent Living needed to change to better meet those challenges.

6. The Locked-Out Report suggested a range of actions to be addressed by Welsh Government and in conjunction with our partners across the public, private and voluntary sectors. This covered human rights, health-and wellbeing,

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

socio-economic disadvantages, and exclusion, accessibility, and citizenship. The Welsh Government response reaffirmed its commitment to the Social Model of Disability and instilling the model in Government policies, and referenced the work already underway, such as work to strengthen the human rights framework by incorporating the United Nations Convention on the Rights of Disabled People into Welsh law. This included the establishment by the First Minister of a Disability Rights Taskforce in 2021 which is the focus of this paper.

7. In 2019 the **Action on Disability: A Framework for Independent Living** was published. This was developed in partnership with many disabled people. With the scale and breadth of the impacts and inequalities, further exposed through the course of the pandemic, a commitment has been made to a new Disability Rights Action Plan for Wales which will incorporate and, where appropriate, further develop the actions contained within the Action on Disability Framework.

Disability Inequality in Wales

8. There is substantial evidence related to disability inequality in Wales and the wider UK. The evidence demonstrates cumulative disadvantages, illustrates a range of potential barriers disabled people in Wales face and shows the significant challenge to achieving equality of outcome across all groups. These range from risks of hate crime, poverty, poor well-being, lower education attainment, and disability employment gaps. Annex B summarises key data that is currently available.

9. There is also a lack of good quality data on disabled people in Wales, particularly among disabled people who have more than one protected characteristic and other intersectionalities. Further the current data conforms to the medical model of disability and is not an accurate representation of the people who are disabled in Wales. We have established a Disability Disparity Evidence Unit to help address these gaps and support ministers in the decisions

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

they take. The unit will work closely with partners and ensure lived experience is at the heart of its work.

Disability Rights Taskforce

10. The Disability Rights Taskforce is co-chaired by the Minister for Social Justice and Professor Debbie Foster, author of the Locked-Out report. The Taskforce comprises approximately two thirds disabled people and disabled people's organisations, Welsh Government policy officials, public bodies, and Commissioner's offices (such as EHRC, Older People's Commission, Welsh Language, Wales TUC) who will be fundamental to the development, and effective delivery of the plan.

11. The output of this Taskforce will be a new Cross-Government Disability Rights Action Plan which is expected to be published in Summer 2023.

12. Co-production is a key principle of this Taskforce, reflecting the mantra of the Disability Rights Movement "Nothing about us, without us" and embracing this fully. This is critical to addressing the 'implementation gap' between the intentions behind a policy or programme and what is delivered or experienced by people that the policy is intending to support and help. Taskforce members will receive co-production training, drawing on the positive lessons from the work on the Anti-racist Wales Action Plan.

13. Authors of the Locked-Out report and members of the Taskforce have highlighted the need for robust governance structures to address the implementation gap so that Government are held accountable for improving outcomes for disabled people and ensure that we improve how we monitor delivery and the effects of our actions on the lives of Disabled people. Officials will work with the Disability Disparity Evidence Unit to ensure collection of data and research information. This will enable the ongoing monitoring of activities

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

and evaluation of Welsh Government policies and actions delivered by third parties.

14. The Taskforce has agreed 7 priority areas for their work which cover a wide range of Ministerial responsibilities and will touch on relevant Programme for Government commitments. (Further information is at Annex C):

- Access to services (including accessible communications)
- Affordable and Accessible Housing
- Embedding and Understanding of the Social Model of Disability (across Wales)
- Employment and Income
- Travel
- Children and Young People
- Independent Living, Health, Wellbeing and Social Care

15. Ministers are invited to attend a future Taskforce meeting to update its members on the progress of relevant work and to listen to and understand the lived experience of disabled people. Senior officials from across portfolio areas are members of the Taskforce. They are well placed to support Ministers to fully engage with this work and promote and consider disabled people's rights within the development of work within their portfolios.

The social model of disability

16. The social model of disability has been a longstanding commitment of successive Welsh Governments; however, the medical model continues to be pervasive in the development of policy and in the delivery of public services. We have not seen the significant shift in thinking and application that we need. The social model means shifting focus from what people cannot do because of their impairments, to what they can do and achieve if barriers in society were removed. The pandemic exposed the inadequacies of the medical model of

disability as it amplified pre-existing socio-economic inequalities in society and their influence on health outcomes. The Locked-out report concluded that medical approaches will not solve what are essentially social problems, requiring political solutions.

17. Taskforce members and Welsh Government staff are having additional training on the social model to ensure it is fully embedded. In addition, further research will be commissioned by the Disability Evidence and Data Unit to support embedding the social model. Cabinet is asked to reinvigorate their commitment to embedding the social model and provide leadership for it in their portfolios.

Developing a whole of government action plan

18. It is recognised that across the Welsh Government much work is being done already to improve outcomes for disabled people, but there is a need to bring these actions, and new actions together in a single coherent action plan. This will allow us to both bring focus to these actions as well as communicate to disabled people what we are doing to improve their lives and remove the barriers they face. It will need to set out how Programme for Government commitments will deliver for disabled people and focus on actions and key priorities, including poverty and inequality, which are sustaining underlying structural inequalities for disabled people.

19. Early mapping of key existing activity across ministerial portfolios is contained in Annex D. This mapping work will help identify gaps and opportunities for joint working as well as enable us to communicate how our policies and services support, or are being developed to better support, disabled people. It is not the expectation that all work will sit directly under the remit of the Taskforce, but it will be essential that the Taskforce is kept informed of work that is being undertaken.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

20. One of the challenges with the Locked-Out report was ensuring there was a shared understanding of the ownership of the recommendations and how they would inform or translate into action being taken. It is critical that these same issues do not arise with the work of the Taskforce, and it is clear how the opportunities they identify through their work will translate into shared, co-produced actions. Cabinet is being asked to commit to co-production with disabled people and disabled people's organisations in the development of the action plan.

21. Ministers and officials have a standing invitation to attend the Taskforce to engage with members on opportunities and challenges within Ministerial portfolios. Colleagues are asked to attend future Taskforce meetings.

Incorporate the UN Convention on the Rights of Disabled People into Welsh law

22. Whilst this Cabinet Paper is focused on the work of the Disability Rights Taskforce the wider work on Human Rights will be relevant context for what actions and work may emerge. On 23 May 2022 we published a response to the Strengthening and Advancing Equality and Human Rights research. The response set out the main areas of work we will take forward, including the preparatory work on legislative options on incorporation of UN conventions. We will ensure that the work of the Disability Rights Taskforce is joined up with the Human Rights Advisory Group, and the preparatory work on options for incorporation of Un Conventions into Welsh law. The scope and timings of any legislative action will be subject to future ministerial decisions.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Impact

23. In making the commitments outlined in this paper, the Welsh Government takes the next step towards the radical cultural and societal shift required to achieve improved outcomes and rights for disabled people in Wales and remove the barriers they face in their daily life. Significant practical action to achieve this will follow but, in combination, this work will seek to end the disadvantage that disproportionately and adversely impacts on disabled people.

24. Taking this agenda forward jointly with Plaid Cymru will be an opportunity to underline support for this work to extend beyond party boundaries. I have engaged Plaid Cymru's Designated Member on the work of the Taskforce and they will be attending the next meeting of the Taskforce on 29 June 2022.

Communications and publication

25. We will use the Cabinet agreement of the recommendations to re-engage with officials on the commitment to the Social Model of Disability. We will look to highlight the work of the Taskforce and opportunities and policies where the Social Model of Disability is prominent.

Recommendation

Cabinet is asked to:

- Note progress on the work of the Disability Rights Taskforce and the invitation to attend Taskforce meetings to update on areas within Ministerial Portfolios as appropriate.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

- Reinvigorate the application of the Social Model of Disability ensuring this is consistently applied through all work of Welsh Government.
- Commit to co-production with disabled people and disabled people's organisations in the development of the Cross-Government Disability Rights Action Plan for Wales.

As part of the above decisions Cabinet will want to consider how the delivery of the Programme for Government commitments and objectives can be done in a way which removes barriers for disabled people, examples of which are at Annex D.

Jane Hutt
Minister for Social Justice
June 2022

Annex A: Statutory, finance, legal and governance matters

This annex should contain an analysis of the financial, legal and governance implications.

Statutory requirements

In accordance with section 3 of the Wellbeing of Future Generations Act 2015 ("the 2015 Act"), the Welsh Ministers are under a statutory duty to set and deliver on objectives designed to maximise its contribution to achieving each of the well-being goals, which includes the goal of 'a more equal Wales'. The development of a Disability Rights Action Plan ("the plan") has an obvious link to this goal. Work to develop the Plan will be undertaken in line with the sustainable development principle and the 'five ways of working' in section 5 of

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

the 2015 Act. Most importantly through involvement and collaboration; lived experience of Disabled people will be central to the Plan's content.

The Welsh Ministers are subject to a duty to have regard to the UNCRC, when exercising their functions. This duty is imposed by section 1 of the Rights of Children and Young Persons (Wales) Measure 2011. To satisfy this requirement and also the Welsh Minister's duties under the sustainable development principle, the plan will have a particular focus on disabled children and young people in Wales.

One of the aims of the Plan is to assess and understand intersectionality with disability. This plan will address the intersection between age, sex and race amongst other relevant protected groups. Further work is planned to engage with these protected groups to understand their needs and to consider how these needs can be addressed within the Plan for Wales. An Integrated Impact Assessment will also be prepared alongside the development of the Plan to ensure that the rights of all relevant protected groups are considered in detail and early in the policy formation.

Equalities

The Welsh Ministers have a duty under the Public Sector Equality Duty ("PSED") in section 149 of the Equality Act 2010 ("the 2010 Act") to consider how their policies affect those who have a relevant protected characteristic under the 2010 Act. Under that section, the Welsh Ministers must, when carrying out their functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and other conduct which is unlawful under the 2010 Act.
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

characteristic and persons who do not share it.

The production of the Plan, which strives to address the disability inequalities in Welsh society, will clearly evidence the steps taken by the Welsh Ministers to comply with the PSED with regard to the protected characteristic of disability and where it intersects, with other relevant protected characteristics.

The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 include specific requirements for relevant bodies (including the Welsh Ministers) to comply with in seeking to meet the general 'due regard' PSED duty under section 149 of the Equality Act 2010. The 2011 Regulations include a requirement to monitor and assess impact. The Disability Disparity Evidence Unit will support the requirement to monitor and assess impact by providing the Welsh Minister's will a bank of information and data about those in Wales with disabilities, which can be used to mitigate any adverse impact as policies develop.

An integrated impact assessment will be developed alongside the plan.

Finance requirements and governance implications

The costs of the costs of taking forward the work of the Disability Rights Taskforce can be met from the Equality and Human Rights BEL in the Social Justice MEG for the period 22-23 to 24-25 and are set out in MA/JH-/1077/22. There are currently no known additional direct costs associated with the Disability Rights Action Plan for this year. However, as the policy initiative is developed there are likely to be financial implications in taking forward actions within the plan.

Longer term funding of an action plan will be highly reliant on Cross-Government support. As we develop individual proposals in the Plan, cost will be a key consideration and subject to further engagement as actions develop. Once these

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

costings have been firmed up, further Ministerial Advice will be drafted which will need clearance from the respective Ministerial portfolio relating to actions specific to that MEG.

Financial Clearance has been provided by the ESJWL & CRLG Group Finance Ops Team (ESJWL/JH/49/22). This paper has also been cleared by Budget and Government Business Division (BGB/0465/6).

Research and/or statistics

The research or statistics contained in the paper have been approved by Knowledge & Analytical services. Clearance number 30/2022.

Joined up working

Policy leads from across the Welsh Government are invited to attend the Taskforce where relevant to the issues being discussed.

Annex B: Disability evidence - underlying trends

In 2021, working aged (18-64) disabled people (15.3%) in Wales are more likely to have no qualifications than non-disabled people (5.7%) and are less likely to hold qualifications above level 2 (Welsh Government (2022). [Levels of highest qualification held by working age adults: 2021](#)).

For the year ending 31 December 2021 the employment rate among disabled people in Wales aged 16-64 was 48.0%, with the equivalent figure for those not disabled being 80.9%, equating to a disability employment gap of 32.9 percentage points (pp). The disability employment gap has risen over the course

of the pandemic (from 31.6pp in the year ending Dec 2019), although is still lower than 5 years ago (34.6 in the year ending Dec 2016) (StatsWales (2022). **Summary of economic activity in Wales by year and disabled status, from April 2013**).

The disability pay gap in Wales has widened from 7.5% in 2014 to 11.6% in 2021 (ONS (2022). **Disability pay gaps in the UK: 2021**).

From 2017-18 to 2019-20, 38% of children who lived in a household where there was a disabled person were in relative income poverty compared with 26% in households where no-one was disabled. Similarly, 31% of working-age adults who lived in a household where there was a disabled person were in relative income poverty compared with 18% of those who lived in a household where no-one was disabled (Welsh Government (2021). **Relative income poverty: April 2019 to March 2020**). Similarly, people who are disabled are more likely to live in the 10% most deprived areas than people who are not disabled (13.8% compared to 8.1% respectively). Disabled people make up 1 in 3 of all people living in these areas (Welsh Government (2020). **Analysis of protected characteristics by area deprivation: 2017 to 2019**).

Disability was judged to be a motivating factor in 11% of hate crimes recorded in Wales in 2020-21, the same proportion as in 2019-20 (UK Government (2021). **Police recorded crime and outcomes open data tables**). In the year ending March 2020, 41% of disabled adults in Wales experienced anti-social behaviour, compared to 36.9% of non-disabled adults. 17.5% of disabled people aged 16 to 59 in Wales experienced domestic abuse, compared to 6% of non-disabled people and up from 14.3% in the previous year (ONS (2022). **Outcomes for disabled people in the UK: 2021**).

On average, disabled people aged 16-64 had poorer ratings than non-disabled people on all four personal well-being measures (happiness, anxiety, life satisfaction and worthwhile things done in life) in the year ending June 2021 (ONS (2022). **Outcomes for disabled people in the UK: 2021**).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Disability evidence: impact of the Covid-19 pandemic

Evidence suggests the Covid-19 pandemic and the measures introduced to mitigate its effects have had a disproportionate impact on disabled people, exacerbating the inequalities they faced before the pandemic.

Data published in September 2020 by the ONS shows that in the period March to July 2020, 68%, or almost 7 in every 10 Covid-19 related deaths in Wales were among disabled people (ONS (2020). [Coronavirus \(COVID-19\) related deaths by disability status, England and Wales: 2 March to 14 July 2020](#)).

In September 2020 around 5 in 10 disabled people in Great Britain who were receiving medical care before the Covid-19 pandemic began indicated that they were either currently receiving treatment for only some of their conditions or that their treatment had been cancelled or not started. By comparison only around 3 in 10 non-disabled people reported this (ONS (2020). [Coronavirus and the social impacts on disabled people in Great Britain: September 2020](#)).

According to a more recent survey, in December 2021 disabled people in Great Britain indicated that Covid-19 had affected their life more than non-disabled people in 2 areas in particular. These areas are access to healthcare and treatment for non-coronavirus related issues (58% for disabled people, compared with 31% for non-disabled people) and well-being (55% compared with 35%). In the case of the latter, when asked how their well-being has been affected, disabled people were more likely to report: feeling stressed or anxious (79% compared with 68% for non-disabled people); worse mental health (50% compared with 31%); and feeling like a burden on others (23% compared with 7%). Furthermore, in December 2021, disabled people in Great Britain were also over four times more likely to experience some form of depression than non-disabled people (37% compared with 9%). Rates for both groups were higher than those observed before the Covid-19 pandemic (27% and 4% respectively). Since the start of the pandemic, disabled people have also been around twice as likely to report feeling lonely often, always or some of the time compared with

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

non-disabled people (ONS (2022). [Coronavirus and the social impacts on disabled people in Great Britain: March 2020 to December 2021](#)).

When considering their future ability to save money, disabled people in Great Britain have been less likely than non-disabled people to report that they would be able to save any money throughout the pandemic. In March 2020, 32% of disabled people reported that they would be able to save money in the next 12 months, compared with 45% of non-disabled people. In December 2021, disabled people remained less likely to report that they would be able to save money than non-disabled people (36% compared with 51%). In December 2021, disabled people also reported being less likely to be able to afford to pay an unexpected, but necessary, expense of £850 than non-disabled people (56% compared with 67%). Disabled people have consistently reported being less likely to afford such an expense since the start of the pandemic (ONS (2022). [Coronavirus and the social impacts on disabled people in Great Britain: March 2020 to December 2021](#)). Such figures reflect the positive association between disability and poverty in Wales. From 2017-18 to 2019-20, 38% of children who lived in a household with a disabled person were in relative income poverty compared with 26% in households where no-one was disabled. Similarly, 31% of working-age adults who lived in a household with a disabled person were in relative income poverty compared with 18% of those who lived in a household where no-one was disabled (Welsh Government (2021). [Relative income poverty: April 2019 to March 2020](#)). Between 2017 and 2019 disabled people made up 1 in 3 of all people living in the 10% most deprived areas of Wales (Welsh Government (2020). [Analysis of protected characteristics by area deprivation: 2017 to 2019](#)).

A slightly higher proportion of employed disabled people work in industries told to close in the early stage of the Covid-19 pandemic compared to non-disabled employees (17% compared to 15%) (Welsh Government (2020). [Coronavirus and employment: analysis of protected characteristics](#)). For the year ending 31 December 2021 the employment rate among disabled people in Wales aged 16-64 was 48.0%, with the equivalent figure for those not disabled being 80.9%,

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

equating to a disability employment gap of 32.9 percentage points (pp). The disability employment gap has risen over the course of the pandemic (from 31.6pp in the year ending Dec 2019) (StatsWales (2022). [Summary of economic activity in Wales by year and disabled status, from April 2013](#). Welsh Government).

Wales COVID-19 Evidence Centre and prioritisation of the programme of work

The Wales COVID-19 Evidence Centre in collaboration with the Specialist Unit for Review Evidence (SURE) team at Cardiff University, were commissioned to undertake a rapid review on the impact of COVID-19 on disabled people in Wales.

An initial rapid evidence summary (Wales COVID-19 Evidence Centre (2022). [A rapid evidence map of the impact of the COVID-19 pandemic on disabled children and adults across the Equality and Human Rights Commission life domains](#)) suggested that disabled people have experienced multiple inequalities and disadvantages during the COVID-19 pandemic, including increased mortality, reduced access to services, financial difficulties, isolation, and loneliness. To determine priorities and actions, the extent and scope of the current evidence base needed to be further determined using a rapid scoping review methodology to identify where a rapid review is most feasible.

The rapid scoping review suggested that it would be most appropriate for the rapid review to focus on the health impact of COVID-19 on disabled people in Wales given this is where most evidence exists, together with health being the area where there is a most pressing need for high quality evidence at present given the ongoing COVID-19 pandemic. This rapid review was published in March 2022 (Wales COVID-19 Evidence Centre (2022). [Rapid review of the impact of the COVID-19 pandemic on the health and access to health care of disabled people](#)).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Annex C: Disability Rights Taskforce – priorities and working groups

Prioritisation Working Group

The Prioritisation Working Group (PWG) was established to identify and prioritise the most urgent inequalities for the second Disability Rights Taskforce meeting. The prioritisation meeting was attended by Taskforce members and the Specialist Unit for Review Evidence to assist and provide statistical foundation to support priority topics.

The first meeting took place on 14 January 2022 to identify and discuss the main priorities and on the second meeting on 20 January, the group successfully agreed a list of preliminary priorities for the Disability Taskforce Meeting. These are:

Access to services (including accessible communications)

The Prioritisation Group agreed that many disabled people are not heard and unable to exercise their rights as citizens of Wales. An example of this was during the COVID pandemic when many GP surgeries were inaccessible to many disabled patients and especially Deaf patients.

Affordable and Accessible Housing

The Prioritisation Group highlighted the need to examine the housing needs of disabled people. It was agreed that housing is an essential part of independent living for disabled people.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Embedding and Understanding of the Social Model of Disability (across Wales)

It is essential that the Social Model of Disability is fully understood and applied by public services in Wales.

Employment and Income

The Prioritisation Group highlighted the need to examine the disproportionate pay gaps that effected many disabled people. The COVID pandemic has further affected the employment and pay for many disabled people.

Travel

The Prioritisation Group highlighted the barriers for all disabled people, in particular the barriers that many people who are blind and visually impaired face on buses. These barriers included lack of accessible information for journey planning, the absence of on-board audio and visual next stop announcements, lack of support from some drivers and inaccessibility of complaints procedures and cuts to services. A patchy approach to disability equality training amongst bus operators was also mentioned. It was also highlighted in the meeting that the Welsh government is committed to sustainable public transport, but there is a paucity of a cohesive approach on the ground.

Children and Young People

The Prioritisation Group recognised that children and young people were not fully cover in the 'Locked Out' report to be considered by the Disability Rights Taskforce meeting.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

Health, Wellbeing and Social Care

The Prioritisation Group highlighted the need to understand the current situation in social care, which is a fundamental aspect of independent living. Social care is legally shared as a last resort which is very bad. It should be used to facilitate independent living to enable disabled people to live an equal life and has enormous capacity to liberate lives.

Embedding and understanding the Social Model of Disability

The Social Model of Disability was adopted by the Welsh Government in 2002, yet implementation of this within the development of policies and strategies has been patchy and there were clear policy implementation gaps identified within the Locked Out report as to how services etc. are experienced by disabled people in practice. Ensuring better understanding and taking action to embed the social model has been agreed as fundamental to building strong foundations to achieve better outcomes for disabled people across Wales. Everyone needs to understand the Social Model better – public services, policy developers, planners, disabled people and society more broadly. This working group is establishing approaches to achieving this – a multi-pronged approach is needed to achieve the societal and cultural shifts which will ensure sustainable and successful change.

Independent Living, Health, Wellbeing and Social Care

Colleagues in the Social Services & Integration Directorate have established a working group to take forward the Programme for Government commitment to improve the interface between Continuing Healthcare and direct payments, a

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

key issue for disabled people. This working group involves a range of stakeholders, including members of the Disability Rights Taskforce, the Disability Equality Forum, disabled people and people with lived experience. The purpose of the group is to co-produce solutions to deliver the commitment, in the short/medium term and in the longer term, including primary legislation to enable direct payments under Continuing Healthcare. Social Services colleagues are working closely with the Equality Team and Specialist Disability Policy Advisor to ensure empowerment and inclusion of disabled people in the process.

Access to Services (including accessible communications)

The Access to Services working group will incorporate work and actions around British Sign Language (BSL) working group to support Welsh Government to address recommendations in the British Deaf Association (BDA) audit of Welsh Government for the BDA Charter.

Annex D: Work underway across Government - initial mapping

(Note: this is a snapshot of activity and is not a comprehensive reflection of work across Government at this stage. It will be developed further). The first items set out progress against the specific Programme for Government Commitments.

UNCRDP and Human Rights

We have just published the [Welsh Government's response to the Strengthening and Advancing Equality and Human Rights \(SAEHR\)](#)

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

research report. Our response set out 5 main action areas, the first of which is to explore legislative options to incorporate UN Conventions into Welsh law. We are now establishing a working group with external stakeholders to take this forward.

The Programme for Government commits us to incorporate both the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and the Convention on the Elimination of all Discrimination against Women (CEDAW). The Minister for Social Justice and the Counsel General have jointly agreed that both a holistic approach, such as a Welsh Human Rights Bill, and other possible actions in relation to specific issues need to be jointly considered.

We will take an inclusive approach, going beyond the two UN Conventions included in the Programme for Government to also include consideration of older people's rights, the UN Convention on Elimination of All Forms of Racial Discrimination (ICERD), LGBTQ+ people's rights, social and economic rights and building on our existing Children's Rights Measure.

Equal Opportunities is a reserved matter although there are a range of exceptions to that which provides the Senedd with some legislative space. Human rights are not a reserved matter but all Senedd legislation must be compatible with the European Convention on Human Rights (ECHR) to be within competence. Furthermore, the Human Rights Act 1998 is a protected enactment under GoWA meaning that the Senedd cannot modify that Act. There are therefore wider devolution issues to consider as part of the exploration of legislative options.

The UK government's proposal to replace the Human Rights Act 1998 with a Bill of Rights has complicated the legislative context. We made clear our fundamental opposition to this during consultation at the start of the year, so it was very disappointing to see this regressive proposal included in the Queen's Speech. We do not yet know what precisely will be included in the Bill of Rights: detailed consideration of the proposals and their implications would need to

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

precede any related Welsh Bill.

The scope and timing of any legislation, such as a Welsh Human Rights Bill will be subject to future decisions, depending on the outcome of this preparatory work. We will continue to work closely with stakeholders as the work progresses and will consult formally on any legislative options which emerge.

Wales Transport Strategy

Llwybr Newydd sets out a long-term vision for an accessible and sustainable transport system. It contains high-level cross-cutting 20-year ambitions that can deliver wider benefits to people and communities, to the environment, to the economy and places, and to culture and language.

Engagement with stakeholders during the development of the strategy raised some key areas for improvement:

- Accessibility - issues around social, attitudinal, and physical barriers.
- Affordability - a particular issue for specific groups
- Reliability and regularity of service provision - an issue generally but a particular issue in more rural areas.
- Environmental issues - of particular importance to specific groups, most particularly children and young people

The strategy identified several 'pathways' which are currently in development and will be published as part of the National Transport Delivery Plan (NTDP). The Equality pathway will map the actions needed to meet our legal and policy commitments on the accessibility of infrastructure and services, as well as our commitments on inclusive design, training, policy development and standards, and report back to the Transport Performance Board on delivery. The aim is to ensure that equality is integrated into transport planning at the highest level rather than seen as a separate issue. In line with the five ways of working, we

will involve people with direct experience of equality issues including the Transport for Wales Advisory Panel.

Within Llwybr Newydd are a range of commitments which pertain to equality and accessibility. As part of the development of the equality pathway, those commitments have been divided into 5 pillars:

1. Engagement and Involvement: will actively engage those who design and use transport to ensure it is fit for purpose
2. Infrastructure: Through Welsh Transport Appraisal Guidance (WelTAG), equality is considered as a matter of course in the design of new / review of current infrastructure ensuring that facilities are safe, welcoming, and accessible
3. Social Justice: will work to ensure that transport is available, accessible, and affordable to the people of Wales.
4. Technology and Innovation: ensure that any developments in innovation and technology from the onset are accessible and benefit all those who use transport.
5. Training and Guidance: Work with all partners to provide training and guidance that will support a behavior change programme.

The equality pathway will be monitored by the Transport Performance Board which will provide an extra layer of scrutiny (not previously in place) in relation to delivery and improve the policy integration required to make further progress.

We have a long-standing and practical commitment to delivering improved rail accessibility despite this being a non-devolved responsibility of the UK government both in terms of railway infrastructure (apart from the Core Valley Lines, where we are now responsible) and trains.

Employability and skills

The Disabled People's Employment Working Group provides the Welsh Government with specialist advice and guidance on emerging issues and priorities to assist with the aim to increase the number of disabled people into work.

The new Plan for Employability and Skills contains a commitment to respond to the recommendations to of the Locked Out report and drive forward solutions to tackle socio-economic disadvantage of disabled people in Wales, and continue to involve stakeholders through the Disabled People's Employment working group to ensure the best possible outcomes for disabled people on our Welsh Government employability programmes.

Welsh Government hired a network of Disabled Peoples Employment Champions in 2021 to help reduce the inequality of outcomes for disabled people in the employment market. The champions have since appeared in the Programme for Government as a key initiative and are represented on the Taskforce and its working groups. While delivering one-to-one support with businesses to promote the employment of disabled people, the champions have also taken a broader role within Welsh Government to inform policy and help ensure that employability programs are accessible for all, regardless of their impairment status.

Learning disability

The new Learning Disability Strategic Action Plan was published on 24 May 2022. This plan is a successor to our Learning Disability Improving Lives Programme. It has been co-produced with people with learning disabilities through the Learning Disability Ministerial Advisory Group (LDMAG) which made 43 recommendations for future priorities. Actions in the new plan include

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

continuing to reduce health inequalities, workforce training, promoting independent living and close to home accommodation, advocacy, self-advocacy and co-production. There is also a renewed focus on the well-being of children and young people. The delivery of these priorities will be monitored by the LDMAG group.

The Welsh Government can also demonstrate a strong commitment to improving the lives of people with neurodevelopmental conditions, taking a strengths-based approach to the design and delivery of services and support, which reflect the principles of the social model of disability. This includes the publication of the Statutory Code of Practice on the Delivery of Autism Services in September 2021; the code re-enforces duties placed on public authorities to promote better awareness and understanding of autism and to ensure services are adapted to meet their needs.

Disability pay gap

Tackling issues relating to the employment and pay of disabled workers requires consistent and long-term action to transform organisational structures, policies and practices, behaviours, and cultures. Achieving this requires commitment both within and outside of government.

Policy Officials are supporting this transformation through our social partnership approach and fair work policy. These provides us with opportunities to work with employers and trade unions to address workplace equality, diversity and inclusion issues, including pay gaps, increasing the prevalence of fair work for all, including those with disabilities, and raising awareness of workforce rights.

Progress in this area to date includes:

- Development of outcome indicators mapped to each characteristic of Fair Work identified by the Fair Work Commission, including fair reward. Where

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

possible data will be disaggregated by protected characteristics.

- Establishment of a Social Care Fair Work Forum and a Retail Forum bringing together trade unions, employers, and the Welsh Government to improve the prevalence of fair work. Officials are also exploring how we can support other sectors including the tourism and childcare sectors.
- Delivery of a Workforce Rights and Responsibilities Campaign, ensuring workers are aware of their employment rights, including those related to pay and disabilities, and employers are aware of their legal responsibilities.
- Provision of grant assistance to Cynnal Cymru (the living wage accreditation body for Wales), to further the promotion of the Real Living Wage in Wales.

In addition, the first wave of a set of National Milestones for Wales was laid in the Senedd in December 2021. These included a national milestone for the elimination of the gender, race and disability pay gap by 2050. The milestone reflects Welsh Government's ambition and aspiration for economic and social justice and our understanding of how equality, diversity and inclusion at work is integral to our broader commitment to fair work for all workers in Wales.

Disability benefits

The social welfare advice and DWP policy branch is co-ordinating a cross-government approach to developments relating to disabled people's benefits which arise as part of the DWP's Health and Disability strategy. In November 2021, the Minister for Social Justice and Minister for Health and Social Services issued a response to the green paper consultation which called upon the UK government to adopt the social model of disability and embed it in their processes.

As part of this work, Officials have set up a group whose purpose is to share information and resources to increase take-up of non-devolved and devolved benefits for disabled people and gain insight into disabled people's experience of benefit system. We are anticipating the white paper being published in the

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

summer and will monitor the impact of changes on disabled people in Wales.

UK government have a history of utilising the medical model approach in relation to their benefit system and it is entrenched within the application and assessment process for disabled people's benefits.

Although there has been some success in offering training to operational staff in Wales on social model of disability and autism awareness training there has been limited movement within the systems and processes that govern benefits delivery.

A Healthier Wales

The Welsh Government published its long-term strategy for health and social care in 2018 – A Healthier Wales. The vision is for an integrated health and care system delivered as close to home as possible. Its focus is on supporting people to live healthy and independent lives. We are committed to embedding the social model of disability across the health and care system to ensure that the planning and delivery of services is within the context of a social model. We will address this through training and development of the workforce to raise awareness and enhance professional practice. We will also ensure that as services are planned and designed, accessibility of services will be taken into account in the context of the social model.

Equality in the workplace: NHS

The NHS provides health and care across Wales included to people with disabilities and has traditionally provided services using a more medical model of disability. We are committed to embedding the social model of disability across the NHS to ensure that when healthcare is delivered or planned it is within the context of a social model. We will address this through training and

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

development of the workforce to raise awareness and enhance professional practice. We will also ensure that as services are planned, and designed accessibility of services will be taken into account in the context of the social model.

The NHS is a significant employer across Wales, and we are committed to providing removing barriers to employment for people with disabilities in line with the social model. This will include reviewing employment policies and practice to remove barriers and developing robust data to evaluate the impact of these policies on employment and progression of disabled people within the NHS.

Loneliness and isolation

Connected Communities is a Cross-Government strategy for tackling loneliness and social isolation recognises we can all experience these feelings, at any age. However, it also acknowledges many some people are more vulnerable than others; this includes disabled people. Since the strategy's launch in February 2020, progress has been made in implementing its 80-plus commitments and in ensuring they reflect the changes in our communities as a result of the pandemic.

The establishment of an advisory group of valued stakeholders from the statutory and voluntary sectors and grass-roots organisations, including Disability Wales and All Wales People First, has been vital in helping Officials to better understand the impact of Covid-19, loneliness, and social isolation on those most vulnerable. Key issues highlighted by the group include digital exclusion; overcoming barriers to re-engaging; types of ongoing support required to enable people to maintain their health, well-being and independence and sustaining community-based support. Officials will publish a report setting-out progress made and next steps later this year.

The strategy contained a commitment to establish a 3 year **loneliness and**

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).

isolation fund. The fund aims to support community-based activity by building the capacity and sustainability of front-line organisations that bring people of all ages together. £1.5 million has been allocated equally across Wales over the 3 years (2021-24) and will see local authorities, working in partnership with County Voluntary Councils to distribute to community-based organisations. Funding also has been allocated to the National Autism Service. Initial reviews on how the partnerships have used the money show several groups supporting disabled people and their families have benefited from it.

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/cabinet-paper-disability-update-on-the-disability-rights-taskforce-html> for the latest version.

Get [information on copyright](#).