

Disability Equality Forum

3.45 pm Wednesday 13 October 2022 via Video Link

Minutes of the Meeting

Present:

Jane Hutt MS, Minister for Social Justice (Chair)

Forum Members

Rhian Davies	Disability Wales
Jan Thomas	The FDF Flintshire Disability Forum Centre for Independent Living
Joe Powell	All Wales People First
Paul Hunt	Mencap
Sara Pickard	Mencap
Ruth Fabby	Disability Arts Cymru
Andrea Gordon	Wales Vision Forum / Guide Dogs Cymru
Louise Sweeney	WC Deaf
Brett Bignall	Dewis Cil

Welsh Government Officials

Jon Luxton	Specialist Policy Adviser
Gill Huws-John	Head of the Disability Rights Taskforce
Nina James	Disability Rights Taskforce Secretariat Lead
Matthew Xerri	Head of Senedd Elections Policy
Daniel Jones	Senior Senedd Elections Manager
Elaina Chamberlain	Head, Democracy, Diversity & Remuneration
Nia Griffiths	Head of Complex and Unscheduled Care and Disabled People
David Clayton	Head of Assessment and Eligibility
Rae Cornish	Head of Disability & Gender Policy, and Finance
Zoe Sutton	Disability Policy Team
Graham Hughes	Disability Policy Team

Apologies

Gaye Hampton	WC Deaf
Fiona Reed	Disability Sports Wales

1. Welcome and Introduction

- 1.0. The Minister for Social Justice welcomed members to the third meeting of the Disability Equality Forum in 2022.
- 1.1. Andrea Gordon is to meet with **Lee Waters MS, Deputy Minister for Climate Change** to discuss accessible transport policy. The Minister requested a separate forum meeting to give proper attention to the Transport for Wales

access panel developments. Forum members are welcome to attend, a date for this meeting is to be agreed.

2. Disability Rights Taskforce update - Gill Huws-John

- 2.0. There have been three meetings for the Embedding Social Model of Disability across Wales Working Group to date. In the September meeting, Doctor Emily Kakoullis from Cardiff School of Law and Professor Simon Hoffman from Swansea University talked to members about the equality legislation. The fourth and final meeting took place on 12th October 2022 to focus on the consolidation of views and ideas put forward by members.
- 2.1. The access to services working group held its second meeting on 17th October, group members focused on technology and barriers to services. The independent living in social care working group held its first meeting on the 20th of September 2022. The next meeting will focus on people's lived experience and access to social care. The independent living health and well-being working group is due to commence in November. Membership for this group is being secured. Co-production is the key principle of the taskforce which is well attended by people with lived experiences and Welsh Government leads.
- 2.2. The social model of disability training for Disability Rights Taskforce and working group members has been scheduled to run across October and November, co-production training will follow. We are scoping out work for Community Mentors. We are looking for people with lived experience who can provide advice and guidance to policy leads. The Disability Policy Team and Disability Rights Taskforce team plan to write to policy leads across Welsh government for an update on progress with the Locked Out report recommendations. A summary report will be provided to the Disability Rights Task Force meeting on the 26th of January 2023.

3. Continuing NHS Healthcare developments – improving the interface between CHC and Direct Payments – Nia Griffiths

- 3.0. Currently those receiving CHC can't receive direct payments as this is not possible under the act. Direct payments allow people to exercise voice and control over their care needs and support. This is possible in social care but not CHC due to law.
- 3.1. There can be issues when moving from HSC to CHC as people can lose their voice and independence. In England direct payments have been possible through personal health budgets since 2014 under NHS England. Some refusing CHC due to not wanting to lose support. This may mean they contribute to their care under social care, whereas CHC would be fully funded by CHC. Also, the level of care may not be right if CHC is not accessed as well. There may be health impacts for the individuals involved.

- 3.2 To look at this the Welsh government is currently undertaking a consultation exercise on proposals to amend the primary legislation or to amend the NHS Wales Act to permit local health boards in Wales to make direct payment. The Welsh Government is keen to get as many responses as possible from people with lived experience. Forum members can access this link - [Proposed changes to legislation on social care and continuing health care](#).
- 3.3. We are also looking at more voice and control and other financial methods. Also, how a PA may be transferred from social care to care (CHC). We are working closely with colleagues in England and have been helpful sharing guidance and talking about their experiences.
- 3.4. Brett Bignall – welcome consultation with CHC/DP, as Wales is behind. Reality is the number of DP users in Wales is extremely low. In England people are five times more likely to get DP compared to Wales. We need to involve disabled people with government to move this forward. DP workforce enables people to live their lives as independently as possible.
4. **Social Care Fair Work Forum update on Research on the Employment of Personal Assistants** – David Clayton
 - 4.0. The Forum wanted to better understand the nature and scope of the Personal Assistant (PA) workforce in Wales and to what extent could we provide reassurance to the Fair Work forum on the experiences of this workforce. The Fair Work forum commissioned work that had three specific aims. The work is to gather all Wales data on the PA workforce to identify the key issues, the scale of the problem and to identify best practice and recommend options for improvement.
 - 4.1. There is a three-pronged approach, the first was a desk-based review followed by an online survey and then individual interviews with PA's and employees and other stakeholders. The first key issue to overcome was how to engage with PA's. This placed significant emphasis on respecting the individual employer's responsibilities for their PA.
 - 4.2. Historically, Welsh Government has respected the statutory roles and responsibilities of the employers and have not therefore engaged directly with PA's. This has meant that we are reliant on others to help promote participation in the research. The Pandemic has changed the nature of the relationship with increased activity to ensure PAs gain equal benefits from Ministers support for the wider social care workforce David Clayton asked the forum members for help share the outcomes of the work to employers and PA's alike.
 - 4.3. The research shows 50% of employers had not lost any PA's in the last 12 months. Which indicated much better retention rates than other parts of the social care workforce. Employers have said that they benefit from the continuity of care and helps improve their quality of life and independence, as well as enabling wider family and friends to do the things that matter to them.

There is a range of opportunities to improve experiences of PAs and their employers for example by bringing greater consistency and understanding around rights and responsibilities including for example pay terms and conditions.

- 4.4. Minister stated the Audit Wales report and direct payments and the fact that we have a lower take up in Wales than in England. The Deputy Minister for Social Services has also responded to Health and Social Care Committee has made recommendations and committed to reinforce the existing bespoke resource hub about direct payments and collectively, we need to ensure practitioners and individuals alike being consistently signposted to that information.
- 4.5. Jon Luxton - agreed with a campaign or research on information. There are many structural issues that exist on how direct payments works in Wales. The information from many of the local authorities is very good, if not better than some of the English local authorities. The structural approach in Wales is different and more restricted making direct payments difficult for some people.
- 4.6. Rhian Davies - the Social Services and Well-Being Wales Act was to bring about transformation in terms of voice and control for disabled people, direct payments are significant, and it has not been delivered. Work needs to be done around leadership in Wales and upholding the voice of disabled people. Direct payment support schemes that are delivered and run by disabled people.

5. Electoral Administration and Reform White Paper – Mathew Xerri

- 5.0 Responsibility for local government and Senedd elections were devolved to Wales in 2017 and then from 2019 to 2021. The Senedd since voted to lower the voting age to 16 and to enfranchise qualifying foreign nationals. In July 2021, the Council General published a framework for electoral reform going forward. This sets out key principles which included equality accessibility participation and improving citizen experience.
- 5.1. The programme for government commitment to reform local government elections and to reduce the democratic deficit. The white paper consultation, which was launched this week runs until January 2023. This has a number of legislative and non-legislative proposals covering areas such as, promoting engagement in elections, making standing for elections safer and more straightforward modernising the administration of elections. Also, Improving the conduct of electoral reviews for local government, consolidating electoral law and building democratic health for the future. Matthew Xerry asked the forum for their input on the consultation.
- 5.2. The white paper looks at three aspects of accessibility. The first is accessibility of information, the second is actually physical accessibility to the act of casting a vote and casting a vote independently. Sometimes information

is not always easily accessible. To make better use of resources already available with information and physical access to Polling stations, we need to understand how we could improve them. Opinions and views of the use of tactile voting device is needed. This has been the law for some time in the UK. Every polling station has to have an overwriting device to support blind and visually impaired people.

5.3. Luxton, Jon - welcomed the consultation. Thought needs to be given towards some of the other barriers to elected office, particularly the selection process within political parties.

5.4. Minister – This is a good point, I don't know whether it is in any question, but obviously that is for political parties rather than government in terms of our powers. Even if it is not a direct question the reality is, we do not have enough disabled politicians. We are seeking more diversity with Senate reform.

6. Close: Jane Hutt MS, Minister for Social Justice

6.0. Minister – Highlighted the importance of the Autumn COVID-19 booster vaccination; if members are eligible for the booster, they will be invited for a vaccination by their health board. Please have this vaccine and encourage friends and family to do the same. COVID has not gone away.

6.1. The next meeting on 16th February 2023 Transport for Wales will join the meeting agenda for the meeting to be agreed.

Actions:

Action 1	David Cayton – share results Social Care Fair Work Forum update on Research on the Employment of Personal Assistants with DEF
Action 2	Nia Griffiths – Officials to share with the DEF - Proposed changes to legislation on social care and continuing health care
Action 3	Officials – to share with the DEF Welsh Government - Share Get help with the cost of living
Action 4	Officials – February DEF meeting to be conducted via Zoom