**The UK’s response to the Office of the United Nations High Commissioner for Human Rights (OHCHR) questionnaire for the annual thematic study on the rights of persons with disabilities on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the COVID-19 pandemic**

**1(a). Does your country have laws, policies, plans, strategies or programmes at any level of government relating to individualized support for persons with disabilities? In particular initiatives related to:**

* **Communication:** Support to overcome barriers that limit the ability to communicate and be understood (e.g., sign language interpretation, tactile interpretation, assistive technology and software, easy-to-read and plain language, captioning, augmentative and alternative communication, among others).
* The UK Government ratified the UN Convention on the Rights of Persons with Disabilities in 2009 and remains committed to implementing it through strong policies and legislation.

**Equality Act 2010**

* Under the Equality Act 2010 all public bodies, service providers and employers are required to make reasonable adjustments to any element of a job or service which places a disabled person at a substantial disadvantage compared to a non-disabled person. This can include providing information in alternative formats, or where appropriate, providing interpretation services.
* The Public Sector Equality Duty (PSED) in the Equality Act 2010 ensures that equality issues, including the rights of disabled people are mainstreamed into the policies and programmes of Government Departments and other public bodies.
* The Public Sector Equality Duty is a world-leading policy that places a proactive equality duty on public bodies, and those exercising public functions, to consider the potential effects of key decisions on groups with protected characteristics, including disabled people.
* Under Section 149 of the Equality Act 2010, public authorities in England, Scotland, and Wales are required to meet the PSED by having due regard to the need to advance equality of opportunity, promote good relations between groups, and eliminate discrimination, harassment, and victimisation. The Equality and Human Rights Commission independently enforces the PSED.

**British Sign Language Act 2022**

* The British Sign Language (BSL) Act 2022[[1]](#footnote-1) promotes and facilitates the use of British Sign Language (BSL) by providing legal recognition, whilst preserving the architecture of the Equality Act 2010. The Act recognises BSL as a language of Great Britain (England, Scotland and Wales).
* The BSL Act places a duty on a UK government Secretary of State to report on the promotion and facilitation of BSL by ministerial departments, and to issue guidance to ministerial departments on the general promotion and facilitation of BSL across their public communications.

**Digital Lifeline Fund**

* In February 2021 the Department for Digital, Culture, Media and Sport launched a £2.5 million Digital Lifeline Fund to reduce the digital exclusion of people with learning disabilities. The aim of the programme was to use digital inclusion to reduce the disproportionate negative effects of COVID-19 on people with learning disabilities, including feelings of loneliness and lack of contact with support networks.
* **Decision-making:** Support to make decisions and exercise legal capacity. This includes assistance to: (a) obtain and understand information, (b) evaluate the possible alternatives and consequences of a decision, (c) express and communicate a decision, and/or (d) implement a decision (e.g., support agreements, peer support, self-advocacy support, advance directives, crisis support, financial management assistance, among others);
* In order to ensure that everyone is provided with greater choice, control and independence, the **Adult Social Care Reform white paper - People at the Heart of Care**[[2]](#footnote-2), published in December 2021, states that the government, the NHS, local authorities, care providers, voluntary and community groups and the wider sector will work together to ensure care and support decisions are co-designed with people and their unpaid carers, working with them as equal partners and combining respective knowledge and experience to support joint decision making.
* Furthermore, the **Adult Social Care Reform white paper** states that the government will consider changing Care Quality Commission Regulations (2009) to require CQC-registered providers to be more transparent about their fees, to help people make informed decisions.
* In England and Wales, the **Mental Capacity Act 2005** sets out the legal framework to empower and protect those people, including disabled people, who lack the mental capacity to make their own decisions. The Act is based on five principles, which include a presumption that where adults have cognitive capacity, that they have a right to be supported to make as many decisions for themselves as possible and that any decisions made on their behalf are in their best interest.
* **Mobility:** Support for personal mobility and access to affordable and available quality mobility assistance (e.g., mobility aids, assistive technologies and products (prostheses, orthotics, wheelchairs), animal assistance, point-to-point and paratransit transport, among others);

**Inclusive Transport Strategy**

* In 2018 the Government published the Inclusive Transport Strategy[[3]](#footnote-3), setting out its goal that disabled people have the same access to transport as everyone else and are able to travel confidently, easily, and without extra cost.

**Passenger Assist App**

* The Rail Delivery Group (the British rail industry membership body) supported by the Department for Transport, introduced a new ‘Passenger Assist App’ in 2021 which speeds up the process for disabled passengers to request assistance. The Passenger Assist app allows people to request an assistance booking in advance so that train company staff will be on hand to help with things like navigating a station, boarding a train, or arranging a ramp on and off a train.

**Mobility centres**

* The Department for Transport provides funding for the mobility centres across England to help people stay mobile after they have been advised to stop driving, or if they are unable to learn to drive due to a disability or impairment. The mobility centres provide driving, passenger and wheelchair and scooter assessments.

**Motability scheme**

* The Motability scheme enables disabled people, their families and carers to lease a car, powered wheelchair or scooter using a proportion of their disability benefits. The scheme is overseen by the independent charity Motability. The Department for Work and Pensions works closely with Motability and is responsible for the disability benefits that provide a passport to the Motability Scheme. A Motability lease provides a ‘worry-free package’ including servicing, repairs, breakdown assistance and comprehensive insurance.

**Disabled Persons Railcard**

* The Disabled Persons Railcard[[4]](#footnote-4) entitles eligible disabled people and a carer to a third off their rail fares. Young and student travellers, disabled passengers and those over 60 are also offered discounted travel as a requirement of the Railways Act 1993 (Section 28(3)) as amended[[5]](#footnote-5), because they are likely to be earning less on average than adults of typical working age. The Act requires that all train operating companies participate in certain approved discount card schemes. A number of railcards are available, offering discounts against most rail fares, which includes passengers from these groups. The Disabled Persons Railcard is sold and managed by the Rail Delivery Group on behalf of the rail industry.
* Many disabled people can get a **bus pass** **for free travel.** Passes from councils in England can be used anywhere in England at any time on a Saturday, Sunday or bank holiday, and from 9:30am to 11pm on any other day.
* **Assistance with daily living activities:** Support to assist persons with disabilities in a one-to-one human relationship to perform daily life activities like getting up, bathing, dressing, grooming, going out, cooking, cleaning, guiding, shopping, or doing laundry (e.g., full or part time professional personal assistance, third person support allowance, informal personal assistance, household cleaner, among others);
* Local authorities have a duty under the **Care Act 2014** to produce a care and support plan and offer a personal budget following a needs assessment to ensure that the person being cared for and their carer’s needs are adequately met. Support could be provided by the local authority, or in the form of **a personal budget** or **direct payment.**
* Direct payments and personal budgets are a vital way in which people can have more choice and control over their care and wellbeing. During the **COVID-19 pandemic**, direct payments were made to family and friends who did not normally live with the person drawing on care and support, to provide greater flexibility to support families who were left without their usual carers.
* The **Adult Social Care Reform** **white paper** states that the government wants to ensure that Local Authorities, in line with The Care and Support (Direct Payment) Regulations 2014, offer people direct payments, including advice and support in using their direct payments.
* The Adult Social Care Reform white paper also sets out how the government will work with the sector to improve the services provided **to support unpaid carers**.
* **Housing and accommodation:** Support in relation to housing and living arrangements in the community, including home modifications (e.g., housing information and assistance, home support, supported living services, financial support for housing, among others);

**Accessibility of new homes**

* The government consulted (from 8 September to 1 December, 2020) on options to raise the accessibility of new homes in England,recognising the importance of suitable homes for older and disabled people. These plans are set out in the government response, published in July 2022. The government will consult further on the technical changes to the Building Regulations to mandate the higher M4(2) accessibility standard, on statutory guidance and on its approach to how exceptions will apply.[[6]](#footnote-6)

**Improved access to residential premises**

* The Government ran a consultation[[7]](#footnote-7) from 9 June to 18 August 2022 on the commencement and implementation of the remaining parts of section 36 of the Equality Act 2010. This legislation will place a duty on landlords to make reasonable adjustments to the common parts of let residential premises when requested by a disabled person, in England and Wales.

**Disabled Facilities Grant**

* The Disabled Facilities Grant (DFG) in Englandprovided £573 million in the financial year 2021 to 2022 to support older people and disabled people on low-incomes, to adapt their homes to their needs. The UK government published the Adult Social Care Reform white paper - People at the Heart of Care, which commits a further £573 million per year to the DFG between the financial year 2022 to 2023 and financial year 2024 to 2025, and outlines how it is ensuring that the DFG benefits more people in need.

**Care and Support Specialised Housing (CASSH) Fund**

* The Adult Social Care Reform white paper also committed to continued investment in the Care and Support Specialised Housing Fund, with £213 million invested over the next three years. This complements a new £300 million investment to connect housing with health and care, boost the supply of supported housing and increase local expenditure on services for those in supported housing.
* **Family and household support:** Support to families and households with members with disabilities (e.g., informal support for persons with disabilities, including care-related work leave and capacity building for informal care and support, community-based network and community mobilisation programmes, peer-support groups, localised intervention programmes, circle of support, early childhood support, respite care, among others).
* The Adult Social Care Reform white paper states that the government will invest up to £25 million to improve the services provided to unpaid carers, which could include respite, breaks, peer group and wellbeing support.
* **Disability-related extra costs:** Financial support to pay services and goods, including personalised budgets and direct payments (e.g., cash transfers beyond income replacement, additional funds to cover support services, among others).
* **Direct payments** can be made to: disabled people aged 16 or over (with short or long-term needs); parents with disabilities for children's services; and carers aged 16 or over.
* The **Care Act 2014[[8]](#footnote-8)** allows people to receive personal budgets enabling them to plan their own care and support and exercise control over how it is provided including directly employing a personal assistant at a time to suit them.

1(b). What are the government institutions, departments and ministries in charge of budgeting, financing and implementing the above?

* **Digital Lifeline Fund** - the Department for Digital, Culture, Media and Sport launched a £2.5 million Digital Lifeline Fund.
* **Passenger Assist App** - the Rail Delivery Group (the British rail industry membership body) supported by the Department for Transport, introduced a new Passenger Assist App in 2021.
* **Mobility centres** - the Department for Transport provides funding for the mobility centres across England.
* **Motability scheme** - the Department for Work and Pensions works closely with Motability and is responsible for the disability benefits that provide a passport to the Motability Scheme.
* **Personal budgets and direct payments** - local authorities have a duty under the Care Act 2014 to produce a care and support plan and offer a personal budget following a needs assessment. Central government allocates funding between local authorities to ensure all councils have enough funding to provide services to their residents.
* **Accessibility of new homes** - the Department for Levelling Up, Housing and Communities.
* **Disabled Facilities Grant** - the Department for Levelling Up, Housing and Communities working closely with the Department of Health and Social Care.
* **Care and Support Specialised Housing (CASSH) Fund** - the Department of Health and Social Care. Two delivery agencies, Greater London Authority and Homes England, administer the Fund on behalf of the Department of Health and Social Care in London and the rest of England respectively.
* R**espite and peer group support for carers** - Under the Care Act 2014, Local Authorities have a duty to provide services which meet the needs of the local population, including carers. Funding for respite and short breaks for carers is included in the Better Care Fund. In addition, the Department of Health and Social has written to Local Authorities to reiterate the importance of day services and respite for carers and to encourage authorities to access the funding available.

1(c). How is the social and solidarity economy (third sector, non-profit sector), particularly the disability sector, involved in budgeting, financing and implementing the above (1(a))?

* **Digital Lifeline** - an emergency response project getting devices, data and digital skills support to digitally excluded people with learning disabilities in England. The Department for Digital, Culture, Media and Sport provided funding for the initiative, delivered by Good Things Foundation in partnership with AbilityNet and Digital Unite. AbilityNet provided support to recipients, including providing an assessment.
* **Mobility centres** - Driving Mobility is a registered charity, and it accredits a network of 20 driving assessment centres covering the whole of the UK. These centres include independent charities and NHS centres which offer professional information and assessment to help disabled and elderly people gain or retain independence.
* **Motability scheme** - the charity Motability oversees the scheme.

1(d). How are persons with disabilities and their representative organisations involved in the design and monitoring of the above (1(a))?

* The UK government recognises the value of disabled people’s participation in policy planning and design. As equality is mainstreamed across government, all departments are responsible for consulting and engaging with disabled people and their organisations on a wide range of policy issues affecting them.
* The UK government consulted on raising accessible housing standards in 2020, communicating options for policy and legislative change with disabled people and their representative organisations. This policy project and work is ongoing and consultation will further continue to seek and include views on the design, implementation and evaluation of actions, relating to accessible new build housing.
* A British Sign Language Advisory Board is being established to guide implementation of the British Sign Language (BSL) Act 2022 from the perspective of people who use BSL. It will be predominantly composed of BSL signers and will operate in both BSL and English, with all meeting papers available online.
* Through the Department for Transport’s Access for All programme, which provides accessible routes at stations, Network Rail engages with local disability groups to ensure that designs meet the needs of all passengers.

2(a). Does your country have legislation or policies, at any level of government, regulating and coordinating a care and support system that considers the areas mentioned in 1(a) above? Please provide references to the documentation.

* The **Health and Care Act 2022[[9]](#footnote-9)** includes a new duty for the Care Quality Commission (CQC) to review and make an assessment of local authorities’ delivery of adult social care duties, to ensure accessible, timely, high-quality care and support.
* Local Authorities are responsible for assessing individuals' eligibility for care and support, as set out in the **Care Act 2014** and, where the individual is eligible for financial support, for meeting those needs.
* Under the **Care Act 2014**, local authorities have a duty to shape the local care market to ensure a diverse range of high quality and sustainable care and support services are provided, including day services for those with learning disabilities.
* As previously mentioned, the **Adult Social Care Reform white paper** - People at the Heart of Care commits a further £573 million per year to the Disabled Facilities Grant between the financial year 2022 to 2023 and financial year 2024 to 2025, and outlines how it is ensuring that the DFG benefits more people in need.
* The **Adult Social Care Reform** white paper also committed to continued investment in the Care and Support Specialised Housing (CASSH) Fund, with £213 million invested over the next three years. This complements a new £300 million investment to connect housing with health and care, boost the supply of supported housing and increase local expenditure on services for those in supported housing.
* In the **Integration white paper**[[10]](#footnote-10), published in February 2022, the UK government reaffirms its commitment to personal budgets as a means to supporting integration for individuals, including disabled people who use care services to get the right care at the right time. Health and social care staff will also have better access to people’s health and care records; pooled and aligned budgets will allow coherent transitions between the health and care system thus avoiding delays historically between systems. This will ensure reliable join-up with the NHS so that services support the individual.

2(b). If yes, please describe how the care and support system is financed and what is the percentage of the eligible population covered.

* The **Adult Social Care Reform white paper** sets out a 10-year vision for adult social care and provides information on funded proposals that the government will implement over the next 3 years.
* It includes new investments in:
	+ housing and home adaptations
	+ technology and digitisation
	+ workforce training and wellbeing support
	+ support for unpaid carers, and improved information and advice
	+ innovation and improvement
* English Local Authorities are responsible for commissioning adult social care services, and social care supports adults of all ages, including young people moving into adulthood and those of working age with a diverse range of needs. **Central government allocates funding between local authorities** to ensure all councils have enough funding to provide services to their residents. The funding allocations include specific formulas designed to reflect the relative needs of different authorities and more funding is allocated to councils with relatively higher needs.
* The **Local Government Finance Settlement** for the financial year 2022 to 2023 made available an additional £3.7 billion to councils, which includes over £1 billion specifically for social care in the financial year 2022 to 2023. This ensures that councils across the country are able to deliver key services, including adult social care, and supports delivery of the government’s £5.4 billion adult social care reform programme announced in September 2021. The UK government worked with over 200 stakeholders to develop these plans.

3. Does your country have a strategy to develop legislation, policies and programmes to enable the development of support systems as described in 1(a) above which includes targets, indicators and an accountability mechanism? Please provide references to the documentation.

* The **Adult Social Care Reform white paper,** mentioned above, sets out an ambitious 10-year vision for how the government will transform support and care in England. The vision puts people at its heart and revolves around 3 objectives:
	+ People have choice, control and support to live independent lives.
	+ People can access outstanding quality and tailored care and support.
	+ People find adult social care fair and accessible.

4. Please provide data on persons with disabilities and families and households accessing care and support systems as described above in 1(a) and 2(a).

* The evaluation of the **Digital Lifeline Fund** was published in March 2022.[[11]](#footnote-11) The fund provided free devices, data and digital support to over 5000 people with learning disabilities who would otherwise find it difficult to get online. The fund is enabling people to connect with friends, family, essential services and support groups, as well as pursue hobbies and interests.
* Digital Lifeline also provided access to other resources, including a specialist assessment by AbilityNet and (where required) additional assistive or adaptive technology to support them to use their device. 2,354 pieces of adaptive kit for additional needs were provided to people.
* There are now over 80,000 users of the **Passenger Assist App**, and in a year over 400,000 different forms of assistance have been provided to passengers booking through the app. The Passenger Assist App is regularly promoted on social media and through stakeholder engagement.

5. Please provide data on the impact of the COVID19 pandemic on persons with disabilities and families and households with members with disabilities (death rates disaggregated by disability status, death rates in institutions compared to those living in the community, impact on income as a consequence of disruption in support or increased support and care demands, disruption in support services, among other).

The Office for National Statistics on 9 May 2022 published - **“Updated estimates of coronavirus (COVID-19) related deaths by disability status, England: 24 January 2020 to 9 March 2022”**[[12]](#footnote-12)

Below are the main points:

* In this publication, we use self-reported disability status from the 2011 Census; those who said in the Census that their day-to-day activities were “limited a little” or “limited a lot” are referred to as “less-disabled” and “more-disabled” respectively, whereas people reporting no limitation to their activities are referred to as “non-disabled”.
* Between 24 January 2020 and 9 March 2022 in England, the rates of deaths involving coronavirus (COVID-19) for both disabled and non-disabled people significantly decreased between the second (12 September 2020 to 11 June 2021) and third waves of the coronavirus pandemic (12 June 2021 to 9 March 2022), with rates falling below levels seen in the first wave (24 January 2020 to 11 September 2020).
* In each wave of the coronavirus pandemic, age-standardised mortality rates involving COVID-19 for more- and less-disabled people of both sexes remained higher compared with non-disabled people.
* When modelling the risk of death involving COVID-19, after adjusting for age, residence type, geography, socio-economic and demographic factors, health characteristics, and vaccination status, a significantly greater risk of death remains for all disabled people compared with non-disabled people; this remains largely unchanged across the three waves of the coronavirus pandemic.
* The risk of death involving COVID-19 was 1.4 times greater for more-disabled men and 1.3 times greater for less-disabled men, compared with non-disabled men.
* The risk of death involving COVID-19 was 1.6 times greater for more-disabled women and 1.3 times greater for less-disabled women, compared with non-disabled women.

The Office for National Statistics on 2 February 2022 published - **“Coronavirus and the social impacts on disabled people in Great Britain: March 2020 to December 2021”**[[13]](#footnote-13)

The main points include:

In December 2021:

* Fewer disabled people reported being very or somewhat worried about the effect that the coronavirus (COVID-19) pandemic was having on their life (72%) than at earlier points in the pandemic (91% in March 2020, 78% in February 2021); but the latest estimates were higher than during the period of restrictions easing in 2021 (62% in May 2021, 59% in June 2021).
* Disabled people continued to have on average poorer well-being ratings than non-disabled people across all four well-being measures (life satisfaction, feeling that things done in life are worthwhile, happiness and anxiety).
* Feeling stressed or anxious (79%), making their mental health worse (50%) and feeling like a burden on others (23%) were the well-being concerns disabled people more frequently reported than non-disabled people (68%, 31% and 7% respectively).
* Around twice as many disabled people (40%) reported feeling lonely (often, always, or some of the time) than non-disabled people (18%).
* A larger proportion of disabled people reported they thought life would never return to normal (18%) compared with non-disabled people (11%).
* Around three-quarters of disabled people (74%) reported that their cost of living had increased in the last month; higher than non-disabled people (64%).
* Estimates for December 2021 are based on data collected between 15 December 2021 and 3 January 2022, during which new measures against the Omicron variant were introduced.
1. <https://www.legislation.gov.uk/ukpga/2022/34/contents/enacted> [↑](#footnote-ref-1)
2. <https://www.gov.uk/government/publications/people-at-the-heart-of-care-adult-social-care-reform-white-paper> [↑](#footnote-ref-2)
3. <https://www.gov.uk/government/publications/inclusive-transport-strategy/the-inclusive-transport-strategy-achieving-equal-access-for-disabled-people> [↑](#footnote-ref-3)
4. <https://www.disabledpersons-railcard.co.uk/> [↑](#footnote-ref-4)
5. <https://www.legislation.gov.uk/ukpga/1993/43/section/28> [↑](#footnote-ref-5)
6. <https://www.gov.uk/government/news/supply-of-accessible-homes-to-receive-vital-boost> [↑](#footnote-ref-6)
7. https://www.gov.uk/government/consultations/improving-disabled-peoples-access-to-let-residential-premises-reasonable-adjustments-to-common-parts-a-new-duty [↑](#footnote-ref-7)
8. <https://www.legislation.gov.uk/ukpga/2014/23/contents> [↑](#footnote-ref-8)
9. <https://www.legislation.gov.uk/ukpga/2022/31/contents/enacted> [↑](#footnote-ref-9)
10. <https://www.gov.uk/government/publications/health-and-social-care-integration-joining-up-care-for-people-places-and-populations> [↑](#footnote-ref-10)
11. <https://www.gov.uk/government/publications/digital-lifeline-a-qualitative-evaluation> [↑](#footnote-ref-11)
12. <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/coronaviruscovid19relateddeathsbydisabilitystatusenglandandwales/24january2020to9march2022> [↑](#footnote-ref-12)
13. <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/coronavirusandthesocialimpactsondisabledpeopleingreatbritain/march2020todecember2021> [↑](#footnote-ref-13)