

national information forum

Working for the inclusion of disabled and other disadvantaged people
by encouraging better information provision

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*A Digest of Current Social Information
For members of the National Information Forum*

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PAPAL PARADOX

We do not understand what is meant by “the courage of not allowing oneself to be intimidated by the petty gossip of dominant opinion”. But if the petty gossip involves being disgusted by paedophile priests and Vatican obfuscation then count us in.

A CHALLENGE TO THE NHS

All the contenders in the coming general election promise to maintain funding for the National Health Service. But no less important is how that funding is spent. A recent report from the House of Commons Health Committee (HC268-1: Commissioning/18 March 2010) addresses some serious doubts. It notices an increase in transaction costs, notably those relating to management and administration. Research commissioned by the Department of Health (DH), but not published, estimated these to be as high as 14% of total NHS costs. The committee was “dismayed” that the DH had failed to provide it with clear and consistent data on transaction costs, and concluded that “the suspicion must remain that the DH does not want the full story to be revealed”.

Use of consultants

A particular concern of the committee was the cost of employing consultants. It saw it as clear that primary care trusts (PCTs) lacked the skills needed for commissioning, and recognised that engaging consultants is one way of helping to address this situation. But the committee was concerned that the Government's Framework for Procuring External Support for Commissioners (FESC) is an expensive way of addressing the shortcomings of PCTs. They pointed out that the Minister of State had himself expressed concern about the extent to which consultants are used, and concluded that the DH must do more to determine whether or not the taxpayer is getting real value for money out of “this costly exercise”. Whatever the possible benefits of using consultants, the committee doubted the ability of PCTs to use consultants effectively.

We think that when there is a pressing need to reduce the national debt, this is serious stuff.

For the full report go to: www.publications.parliament.uk/pa/cm200910/cmselect/cmhealth/268/26811.htm.

For the counter argument of the NHS Confederation (which represents



over 95% of NHS organisations) go to: www.medicalnewstoday.com/articles/183988.php.

Note: Workforce figures for the years ended 30 September, 1999-2009 published by the NHS Information Centre show that the number of managers and senior managers rose by 83.89% (24,287 to 44,661), whereas the number of qualified nursing staff rose by 26.55% (329,637 to 417,164). In the single year to 30 September 2009 the same comparison was 11.9% to 2.2%). According to The Guardian (26 March 2010) the rate of rise in staff levels has not been matched by an increase in the number of patients treated. Since 2001, NHS productivity is said to have fallen by 3%, or 0.4% a year on average.

PREVENTION IS BETTER THAN CURE

Commenting on the importance of health issues in the forthcoming general election, Dr Anna Dixon, Director of Policy at the King's Fund wisely points out that the problems associated with an ageing population will demand "a fundamental shift in how care is delivered". Some of these problems challenge our strategies for preventing illness. She singles out alcohol abuse and obesity as requiring action from central government as well as the NHS and local authorities. As well, surely, as from those who over-indulge.

For further details go to: www.kingsfund.org.uk/blog/difficult_choices_on.html

TOWARDS A NATIONAL CARE SERVICE

We now have a White Paper, and the views of the present Government and opposition parties have been well reported in the national press. As far as funding is concerned, with an election in the offing we are some way from firm proposals, but thinking appears to be condensing around alternative strategies of compulsory versus voluntary schemes. Yet no account seems to have been taken of those who simply don't want to be cared for. Among our friends, who have led busy, fulfilled lives, we often find a view that should they reach the stage of being unable to continue to function as they wish and of needing professional care to maintain life, they would prefer to be helped to opt out of the mortal coil. Are those who think this way to be forced to stay alive? And to pay for a service that they don't want?

Note: The latest issue of the Department of Health's *Social Care Bulletin* is dedicated to the White Paper (Building the National Care Service). To access go to www.dh.gov.uk/socialcarebulletin. To receive the bulletin regularly e.mail: socialcarebulletinsubscription@dh.gsi.gov.uk. It is important to be aware that the proposals relate only to England and are concerned only with care costs. On funding, the proposal is to set up a commission during the next Parliament to help reach consensus on the fairest and most sustainable way for people to contribute to the system if they are able to do so.

BETTER LATE THAN NEVER

A report from RNID, *Who Benefits?*, published on 1 October 2009, finds that people who are deaf are commonly missing out on Disability Living Allowance and Attendance Allowance because claims are being rejected unfairly.

Details at www.rnid.org.uk/mediacentre/press/2009/whobenefits.htm (picked up from All Together Now).

COFFIN DODGERS UNITED

It is worth remembering that today's insensitive tweeters will become tomorrow's coffin dodgers.

KEEPING UP TO DATE WITH BENEFITS AND TAX CREDITS

A new edition of the *Disability Rights Handbook* is due out in May. Single copies cost £27.50, including postage and packing, or £12 for people on any benefit. Discounts on orders for five copies or more. From Disability Alliance, 88-94 Wentworth Street, London E1 7SA; tel: 020 7247 8776; or online at www.disabilityalliance.org.

AN AUSPICIOUS ANNIVERSARY

Let us take you back to November 1969, to the dog days of Harold Wilson's first Labour administration. Despite a decisive majority, the authority of the Government had drifted. Two years earlier the pound sterling had been devalued, overwhelmed as Wilson later put it "by the operations of a speculative market". In the same month General De Gaulle had again emphatically vetoed Britain's entry into the European Common Market. By-election losses provided early warnings that Labour was losing popularity, and in 1969 Barbara Castle's 'In Place of Strife' initiative to curb trade union power had failed to win sufficient support or to quell industrial unrest. Specifically in November 1969, following the Queen's Speech, there was pressure for an increase in the Civil List grant (some things never change; the Duke of Edinburgh even suggested in an American broadcast that the royal family might otherwise "have to move into smaller premises"), concern over malnutrition in Nigeria, and parliamentary horror over alleged massacres of South Vietnamese civilians by American forces. Meanwhile, the Greek government stood accused of human rights violations. Wilson informed the House of Commons that, in default of a sudden change of heart towards a restoration of democracy and human rights, our representative on The Council of Europe had been instructed to vote for the suspension of Greece from membership of the Council.

Such was the background against which Alf Morris, Labour and Co-operative MP for Wythenshaw, having gained first place in the annual ballot for private member's bills, chose to introduce a complex measure under the title 'The Chronically Sick and Disabled Persons Bill'. He did not enjoy ministerial support. Indeed, Richard Crossman, then Secretary of State for Social Services, asked Alf who he thought he was, after barely five years at Westminster, to be instructing him on social priorities. The story of the passing of the legislation has been told elsewhere. Suffice it here to bring out that in the remarkable drafting of the bill and its passage through the parliamentary process Alf was hugely assisted by the voluntary sector. It marked the beginning of a lifelong co-operation with voluntary organisations, not bound by commercial contracts but united by mutual trust.

We must, however, single out part of Alf's statement introducing the second reading of his bill on 5 December 1969, an historic declaration that has since found a place in Hansard's centenary volume, *Greatest Speeches from 100 Years (1909-2009)*:

"Mr Speaker, if we could bequeath one precious gift to posterity, I would choose a society in which there is a genuine compassion for long-term sick and disabled people; where understanding is unostentatious and sincere; where needs come before means; where if years cannot be added to their lives, at least life can be added to their years; where the mobility of disabled people is restricted only by the bounds of technical progress and discovery; where they have the fundamental right to participate in industry and society according to ability; where socially preventable distress is unknown; and where no one has cause to be ill at ease because of his or her disability."

The bill received the royal assent on 29 May 1970, accelerated through its later stages and rescued in the "wash-up" before that year's general election – a striking parallel with the enactment of this year's Equality Bill. Remarkably Crossman's National Superannuation and Social Insurance Bill did not similarly survive. As we approach the 40th anniversary of that date, we do well to reflect on what was truly a turning point in the emergence of disabled people from the shadows of neglect and indifference.

ANN'S DEFINITION OF 'WORKING TIRELESSLY'

"Never doing enough to get tired."

(inspired by an election leaflet on behalf of Labour councillors).

THE KEY ROLE OF LIBRARIES

In an article in *The Guardian* (30 March), Lynne Brindley, CEO of the British Library, gives a timely reminder of the continuing crucial role of libraries in fostering reading and commitment to learning, and facilitating digital inclusion. She points out that although digital access is already and increasingly essential in our daily lives, less than half our population has access to broadband at home. The public library service offers "a great infrastructure on which to build a digital Britain... bridging the gap between online information and services and the millions who are currently 'nonline'". Amen to that.

POWERED MOBILITY VEHICLES: PROPOSALS FOR NEW RULES

The Department for Transport is consulting on a revision of the regulations governing the use of mechanically propelled mobility vehicles: both scooters and powered wheelchairs. The questions are wide ranging, beginning with the appropriateness of some of the current arcane terminology, before more significantly seeking views on such things as maximum speed capability, weight limits, safety issues and the merits of allowing a baby or small child to be carried as a passenger in some mobility vehicles. Opinions are sought relating to safeguards on the fitness of drivers of mobility vehicles, including the possibility of changing the minimum age for driving the faster mobility vehicles (those presently in Class 3), strengthening the information and advice available to drivers, and introducing compulsory training. Views are invited on changes to the registration and insurance arrangements, and whether higher speeds might be permitted for those vehicles that can be used on highways. Finally, the consultation raises questions around the idea of bringing mobility vehicles under the wider legislation applicable to other road vehicles.

This is a lengthy, but important exercise. Those affected should go to: www.dft.gov.uk/consultations/open/2010-10/. The closing date is 28 May.

REFUGEES AND ASYLUM SEEKERS: A REVIEW FROM AN EQUALITY AND HUMAN RIGHTS PERSPECTIVE

While not necessarily agreeing with its conclusions, the Equality and Human Rights Commission has commissioned and funded this important report. Researched and written by Peter Aspinall and Charles Watters of Kent University, it finds "an ongoing tension between policies relating to immigration control and those concerned with welfare". Concerns around human rights remain both numerous and significant.

Available at www.equalityhumanrights.com.

NEW LABOUR'S NEW BATTLE CRY: EQUALITY, EQUALITY, EQUALITY

Energised by the MP for Peckham and Camberwell, Ms Harriet Harman QC, and Baroness Royall of Blaisdon, equality legislation has successfully made its way through to royal assent (8 April). There is an interesting parallel here with Alf Morris's Chronically Sick and Disabled Persons Bill which also had to be hurried through Parliament and, thanks to Harold Wilson, just made it onto the statute book before the general election of 1970 (a landmark event that will reach its 40th anniversary on 27 May). His success was followed by defeat for Labour, but that is perhaps another matter.

Like it or not, in the new Act disability discrimination issues sit alongside protection in other areas, namely age, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. However, in relation to disability, the Act specifically covers direct and indirect discrimination, harassment and victimisation. ‘Reasonable adjustments’ provisions similar to those of the Disability Discrimination Act remain, and an amendment tabled by Colin Low in the House of Lords, and accepted by the Government, clarifies what is meant by “substantial” in relation to “disadvantage”: namely that it is “more than minor or trivial”.

Another amendment, tabled by Baroness Royall, has made it explicit that those under a duty to make ‘reasonable adjustments’ for disabled people must take action to provide information in an accessible format where a person would otherwise be at a substantial disadvantage, and will not normally be entitled to charge for such a service.

We were also particularly interested to see that the Act also includes a new public sector duty, when making decisions of a strategic nature about how to exercise functions, to have due regard to the desirability of exercising them in a way designed to reduce the inequalities of outcome which result from socio-economic disadvantage; and further requires employers to review gender pay differences within their organisations and publish the results.

All the amendments made to the Bill in the Lords were agreed by the Commons (without amendment) on 6 April. **For full details go to: www.publications.parliament.uk.**

ACHIEVING EQUALITY IN THE WORKPLACE

Now that we have multi-faceted equality legislation on the statute book, there will be an ongoing task to translate law into practice in the workplace. Set up from within the private sector, the UK Council for Access and Equality (UKCAE), a not-for-profit organisation, seeks to facilitate this process. Its role is to help deliver diversity, inclusion and equality by creating the platform from which any organisation can work to change attitudes and perceptions, create opportunities and inform future policy. It aims to provide awareness, understanding, knowledge and the necessary skills to enable any organisation, whether small or multi-national, to understand the requirements of the new legislation and assist in adopting practices and implementing systems that will bring about equality at work.

As yet in its infancy, UKCAE operates through a governing body of directors, nominated from private and public organisations, with representatives of an advisory ‘Council of Reference’ made up of charities, not-for-profit organisations and individuals.

For further details contact: UKCAE, Garden Floor, 2 Kensington Square, London W8 5EP; tel: 020 7368 6880; e.mail: info@ukcae.com; website: www.ukcae.com.

THE ROUGH GUIDE TO ACCESSIBLE BRITAIN

Motability, the leading car scheme for disabled people, has joined Rough Guides to publish a second edition of *The Rough Guide to Accessible Britain*. The guide contains ideas for places to visit, the best accessible sites, and tips on parking and getting around. All the reviews have been written by writers with disabilities. It normally costs £6.99, but is free to Blue Badge holders. Go to www.accessibleguide.co.uk, call 0800 953 7070 or write to Freepost RRZG-JCGZ-KALH, Rough Guide to Accessible Britain, 439 North Woolwich Road, London E16 2BS, quoting ref MO256.

Also new (and free) is the National Trust’s *Access Guide 2010*. Highly recommended. From Access for All, National Trust, Heelis, Kemble Drive, Swindon SN2 2NA; tel: 01793 817634; e.mail: accessforall@nationaltrust.org.uk. Available in alternative formats.

DESIGNED TRAVEL

Co-operative Travel offers a specialist service to disabled people. Available products include:

- holidays across Europe, Africa, Australasia and the Americas for both blind/visually impaired and sighted travellers
- a wide range of exciting holidays accessible for customers with reduced mobility
- adaptive skiing holidays suitable for customers with disabilities and their families
- group holidays with dedicated guides skilled in helping hearing impaired people to communicate.

A specialist travel guide is available at all branches, and the company's website (www.co-operativetravel.co.uk/specialist-travel) includes a branch finder.

WE HATE NO. 29: INJUSTICE

I'm a happy person. But injustice I loathe. Loathe it.

Joanna Lumley, interview in *Guardian Weekend*, 3 April 2010.

We must begin by conceding that injustice is not necessarily illegal. We admit further that much of what we select to feature in our news briefings relates to injustices of one kind or another. Moreover, that information plays a key role in revealing injustice, just as the suppression of information is designed to hide it.

The poverty/affluence ratio

As Plato recognised, the imbalance between the rich and the poor is a prime source of injustice. We have noticed on several occasions that left unchecked the imbalance escalates, impervious to equality law. Its impact is clear in the disparities of life expectation across different sections of society. The rich, on the whole, will counter the charge of injustice by alleging that the poor get what they deserve, that poverty is a by-product of fecklessness. Sadly, there is some truth in the tendency of what was originally intended as a welfare stopgap to instead foster a culture of dependency, so that state provision can come to be seen as a highway rather than a bridge. The consequences can be dire. It may be negative to suggest that society is broken, but it undoubtedly has cancerous cells, evidenced by our burgeoning prison population and thuggery on our streets. Equally, however, those who have inherited wealth or who have done well in life often fail to acknowledge their luck, or to recognise that life at the subsistence level of welfare benefits isn't much of a life at all. Anyway, it seems to us that fairness (the bedrock of justice) dictates that taxation should at all times seek to redress the disparity.

Privilege

Closely allied to inequalities of wealth, we believe, is deference to privilege. A cardinal principle of justice is that no-one should be above the law, neither the Pope, nor the monarchy, nor anyone else in a position of power and authority. We have previously inveighed against the plans to give the royals a blanket exemption from the Freedom of Information Act and are dismayed to see that this gagging legislation has been enacted (royal assent 8 April). We should not forget that it was the hedonism of the Bourbon court in contrast to the penury of the masses that triggered the French Revolution, and while the bloodletting that followed was no model for republicanism, the whole episode should serve as a cautionary retrospective. Some of the recent election propaganda has focused on the so-called 'middle class', sometimes defined as the bourgeoisie. Justice – or to put it another way, the avoidance of injustice – demands fairness for all. A great pity therefore that these amendments to the Freedom of Information Act should receive royal approval on the same day as the Equality Act!

First past the post (from the perspective of the also rans)

Then there is our voting system. We have commented on this before, for it provides a striking example of blatant injustice. Firstly, that the ‘first past the post’ arrangements can be seen to produce overall results in which the proportions of seats won bears little relation to that of the total votes cast for each party. Secondly, that the great majority of seats are seen as virtually ‘safe’ for candidates of a particular party. The effect of this is that contrary votes in such constituencies are futile and those who do not support the ‘safe’ candidate are effectively disenfranchised – and unrepresented. In determining which party comes out on top only the ‘marginals’ count. Thirdly, ‘first past the post’ makes it possible for a candidate to be elected despite only limited support. We repeat that in 2005 only three MPs secured the votes of more than 40% of their constituents. The Electoral Reform Society thinks that, on balance, the massive failings of ‘first past the post’ severely outweigh the advantage of its incumbency. So do we. Indeed we see it as profoundly undemocratic.

Redressing injury

Next, we regard the Government’s inadequate (ungenerous) response to the needs of people infected by contaminated NHS blood, and the fate of troops with health problems arising from the first Gulf War, as injustice by indifference. It suggests that the slogan ‘A future fair for all’ is simply empty rhetoric.

Prurience

Finally, we think that the pillorying of Tiger Woods is unjust. You may think that this is relatively unimportant, but the episode is instructive in shining a light on our media’s preoccupations. Given means and opportunity, Woods has simply succumbed to a temptation that is instinctive within the human condition, especially in males. It has nothing to do with love and he should not beat himself up about it. No doubt his partner is devastated and feels betrayed. But her grief, which will not go away, is a private matter. It has nothing to do with golf and is not our business. The kind of prurient press intrusion that Woods’ indiscretions have generated is something we do not need and which we hate.

There are countless other examples of injustice in the UK, and yet more in the wider world. But to parody W.S.Gilbert ‘the task of filling up the list we would rather leave to you’.

This information sheet has been compiled by Ann Darnbrough and Derek Kinrade. The views expressed do not necessarily represent those of the National Information Forum. Earlier News Briefings are available on the Forum’s website: www.nif.org.uk.