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A Digest of Current Social Information

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PENSIONERS PAY FOR TAX HAND-OUT TO THE VERY RICH

I wrote this headline immediately after the budget. It expressed my reaction to the freezing of the age-related allowances and the cut in the 50% tax rate. My feeling is that the decision to reduce the top rate of tax by 5% from April 2013 at a time of austerity sends out the wrong message, even if a greater amount may be secured from rich taxpayers by other means. Something that is generally overlooked is that no-one actually pays the highest rate on the whole of their taxable income. At 2012/13 rates £34,370 is taxed at 20%, the next £115,630 at 40%, only then at 50%. Thus anyone with a taxable annual income of, say, £200,000 (a princely sum) would pay £78,126 tax, an average of only just over 39%. Only super-high earners, such as top footballers and bankers, would get close to paying 50%. Moreover, on income over £42,475 per annum (the 'upper earnings limit') National Insurance contributions fall from 12% to 2%! Are you getting my drift? The Chancellor spoke of toughening up on tax avoidance, but history is against him.

By contrast, the basic personal allowance (on taxable income up to £100,000) is £8,105 (again at 2012/13 rates). People aged between 65 and 74 get an additional allowance up to £2,395. For those aged 75 or over this goes up to a maximum of £2,555. These age-related allowances (ARAs) are reduced by £1 for every £2 by which taxable income exceeds £25,400. The effect of this, for example, is that anyone over 75 on £30,510 or above gets no ARA. These allowances will continue for people already entitled to them but will be frozen from April 2013 and, as I understand it, phased out as the basic personal allowance is increased. The subtle point here is that the Chancellor's axe falls most heavily on those on lower incomes. People on £25,400 or less currently get the full ARAs. Those not currently entitled to ARAs in 2012/13 will not get them unless born before 5 April 1948 (6 April 1938 in the case of the higher rate). Are you still getting my drift? Let's be clear. The ARAs were introduced to give pensioners a small concession over and above that enjoyed by other taxpayers. That is being abandoned. The fact that the level of state pension is being increased is unrelated, save in as much that some pensioners who pay tax will in future have a smaller allowance to offset against it.

Another highlight of the budget that strikes me as odd is the further increase in the personal allowance towards an eventual goal of £10,000, much heralded by the LibDems as lifting people on the lowest incomes out of tax. There are two things here: first I guess that most people receiving such miserable remuneration would much prefer a living wage; second that

this measure extends to everyone up to an income of £100,000. Is it not strange, when striving to reduce the national deficit, to be cutting tax on such high incomes? Could we not better target help for those on low incomes?

I must also mention child benefit. This is again curious. What rationale has dictated an increase in the well-publicised income level at which cut-backs were to begin? Nothing has been done to address the anomaly of the treatment of households where one person earns more than £50,000 and begins to lose benefit, against that of a couple where joint income exceeds £50,000 but each partner's income is below the threshold. The disparity of this is now even more glaring. It seems possible that a couple may now jointly earn up to £100,000, yet keep their child benefit.

As to the predictions of the Office of Budget Responsibility, I think we must wait and see.

ASSESSMENT CRITERIA FOR PERSONAL INDEPENDENCE PAYMENT

Disability Living Allowance is to be replaced by a Personal Independence Payment (PIP) for people of working age from April 2013. A second draft of regulations setting out proposed assessment criteria has been published by the Department of Work and Pensions. This is available at www.dwp.gov.uk/policy/disability/personal-independence-payment. These proposals are, however, subject to further consultation and development. The Disability Alliance has produced a helpful updated PIP factsheet, available at www.disabilityrightsuk.org/f60.htm.

The DWP consultation ends on 16 April. Go to wp.gov.uk/consultations/2012/pip.shtml. There is an audio version at dwp.gov.uk/consultations/2012/pip-audio.shtml. Needless to say, the criteria are stricter than those for DLA.

REMPLOY

It has been reported that two-thirds of Remploy's 54 remaining factories are to be closed, with a loss of more than 1,700 jobs. The government's motivation is clear: the average subsidy for each job is £25,000 a year, and the factories are not commercially viable. Maria Miller, given ministerial responsibility for disability issues, is quoted as saying that a public consultation had found an "overwhelming consensus" on the issue. If so, the definition of the word 'consensus' must have changed. Trade unions and Labour MPs are very angry indeed, and crucially I have not heard the views of the workers who will lose their jobs. The acid test, of course, is the extent to which the redundant work force will, with support, move from sheltered employment to the open market – or not.

The view of Liz Sayce, respected CEO of Disability Rights UK, and of leading disability charities is more problematic. They think sheltered employment outdated in that it segregates disabled people from society at large. I find this difficult in that in many ways the 'disability movement' appears to be inward looking and addicted to segregation. Characterised by years of exclusion, disability activists, like other oppressed groups, have tended to band together, asserting their rights. They want organisations of rather than for disabled people, with a curious ideology that disability is a consequence of social attitudes, not their physical problems (which is not to say that adverse social attitudes are illusory). At the extremes they seem to me to have created something of a sect around disability, with a 'them and us' culture based on their perceived victimisation (hence much of their opposition to assisted dying).

I once visited Hamburg, admittedly some years ago, to study how the Germans went about the employment of disabled people. With typical, almost ruthless, efficiency they divided disabled people of working age into two categories: those who had the potential to enter open employment and those who did not. Those in the first category were given intensive training, and finished up with a qualification. 100 per cent success was expected; it simply took longer in some cases than others. The second category were given the opportunity of sheltered (though meaningful) employment. Attendance, on a day-to-day basis, was voluntary. Either way they received welfare benefits. I saw for myself apparently happy, fulfilled, workers.

DISABLED, NOT DYING

Dignity in Dying, the organisation campaigning for a change in the law on assisted dying, is trying to dispel the idea that its proposals somehow threaten the lives of disabled people. To this end it has sent the following e.mail message to its disabled supporters:

“Dignity in Dying will be launching a new website for disabled supporters of assisted dying in April. The website – Disabled, Not Dying – will provide a platform for our disabled supporters to combat oft-repeated arguments of those who lobby against assisted dying, based on misinformed arguments of a ‘slippery slope’ and a supposed threat to disabled people’s lives.

“The campaign to legalise assisted dying for terminally ill people is widely supported by 80% of the general public, regardless of whether supporters have a disability. For example, a YouGov poll in 2007 found that a majority (75%) of disabled people support assisted dying for terminally ill mentally competent adults. Jurisdictions which have legalised assisted dying for terminally ill adults only show no evidence whatsoever of a slippery slope, or the devaluation of the lives of ‘vulnerable’ groups in society.

“Despite this, many disability editorials and vocal members of the disability lobby continue to oppose assisted dying and skew the evidence, often without reference to the majority support for assisted dying from disabled people. This is why our disabled supporters feel it’s time to speak out against misrepresentation of their views. This new website is a chance for this; for our disabled supporters to speak out – ‘I am *Disabled, Not Dying*, and I support assisted dying for terminally ill mentally competent adults’ ”

APPALLING RECORD OF FITNESS TO WORK TESTS

So far, nearly 10 per cent of 1.5 million Incapacity Benefit claimants - some 141,100 - have had their fitness to work reassessed. According to figures released by the Department of Work and Pensions on 15 March, some 63 per cent of claimants were found to be entitled to Employment Support Allowance (ESA). This 63 per cent was made up of 34 per cent placed in the Work Related Activity Group and 29 per cent who will receive unconditional financial support and not be expected to work.

The remaining 37 per cent have been found fit to work and therefore not entitled to ESA. But this does not take account of tribunal appeals. Of appeals enjoying the support of welfare rights experts, a staggering 68 per cent have resulted in the original ruling being overturned. Overall, roughly 38% of tribunal appeals have succeeded. The government may find justification for its programme in ruling out a significant number of claimants, but by any normal test the appeal figures point to a deeply flawed system of assessment.

Data source: www.dwp.gov.uk/newsroom/top-stories/ and Guardian, 16 March 2012

CARE IN CRISIS

Health secretary Andrew Lansley’s proposals for reform of the NHS have rightly provoked a storm of dissent. Interminable time and effort has been expended on a bill that remains deeply unpopular, with possible risk implications that the government appears not to dare make public. So much for transparency. The process has been comparable to mending something that wasn’t really broken, like redesigning a car that simply needed a service. In the meantime, the real scandal in our society – the care of older people – has been neglected. We have a system that shames our nation, both in the way that it is funded and (with worthy exceptions) in the quality of provision.

The present funding arrangements for care are iniquitous and unfair. Those who have prudently saved for a rainy day can be faced with a veritable monsoon, potentially losing virtually all of their savings and assets in unlimited care costs. The message this sends is ‘why should anyone bother to save? The recommendations of the Dilnot Commission, announced on 4 July 2011 (www.dilnotcommission.dh.gov.uk), envisaged a more equitable sharing of cost between individuals and the state, and were greeted with a chorus of approval. We are now promised a white paper later this year, but the portends are ominous. It seems likely that the government will find the Dilnot proposals too expensive. It is strange that money can always be found for military adventures, but not to ease the burden of citizens in their last days.

As to the quality of provision, the best that can be said is that it is variable, A recent ‘phone-in to Radio 5

Live, while not scientifically weighted, praised the dedication of staff in some homes, but also recounted horror stories from anguished relatives, suggesting that services were commonly underfunded and provided by people on the minimum wage, pressed for time, and sometimes short on commitment and kindness.

There are 10,331 care homes in England, housing over 376,000 older people, many of them frail, with multiple needs. Over 40 per cent of them have dementia. Many more rely on services provided in their homes. The British Geriatric Society (7 March) reported that according to data collected by the Care Quality Commission more than half of older people don't have access to all the NHS services they need. It found that they are not given sufficient priority in the planning and delivery of local healthcare services, with the result that there is considerable variation in the extent to which their healthcare needs are met. The report, *Failing the Frail: A Chaotic Approach to Commissioning Healthcare Services for Care Homes* is at www.bgs.org.uk.

This report followed a draft release (29 February) by The Commission on Improving Dignity in Care, set up by the NHS Confederation, Age UK and the Local Government Association. It made ten key recommendations for hospitals and another ten for care homes, intended to improve standards and help them tackle the underlying causes of undignified care. It spelled out the underlying causes of present shortcomings, and launched a public consultation that ran until 27 March, designed to inform a final report and a long-term action plan. (www.nhsconfed.org/priorities/Quality/Partnership-on-dignity/Pages/Commission-on-dignity.aspx).

More recently (16 March), a Which? investigation into care provided to older people in their own homes, while reporting that some carers go 'the extra mile' to give excellent service to their clients, especially those with regular careworkers, also found "some shocking examples of poor care...including missed visits and vulnerable people left with soiled bedclothes, with food left out of reach, and vital medication missed." Which? asked people to keep diaries over the course of a week detailing their experiences of home care. One elderly woman was left alone in the dark for hours, unable to find food or drink; another was left without a walking frame so that she was unable to get to the bathroom, and one man was not given vital diabetic medication.

Richard Lloyd, executive director of Which?, commented that the investigation had found "some disgraceful examples of care with elderly people being given little time or respect. The government can no longer claim to be shocked as report after report highlights the pitiful state of care for older people. If they are serious about ensuring vulnerable people are treated with dignity, then we must see real action because every day they delay is another day older people risk being neglected."

Lloyd has not been alone in expressing such views. In January, the Care and Support Alliance, a consortium of over 50 organisations wrote to the Prime Minister, drawing attention to the failings of parts of the care system and calling for "urgent, fundamental and lasting reform: delivering a social care system which can provide the well-funded and high quality care and support we would all expect for ourselves and our families."

This was followed up on 5 March by an open letter to Andrew Lansley, signed jointly by 46 organisations, including leading charities, care homes and specialist housing providers (www.guardian.co.uk/society/2012/mar/05/letter-andrew-lansley-reform-care), backed up by a lobby of parliament on the following day. The letter pointed out that years of underfunding, combined with rising demand had resulted in a social care system in crisis: an unfair and confusing postcode lottery now facing additional cuts. The challenge was one that successive governments had failed to overcome. Dilnot and the Law Commission had laid the groundwork for action, setting out a roadmap for a sustainable and clear social care system. Older and disabled people and their families now needed the government to deliver on both the funding and legal foundation of social care, and the addition funding to achieve it. They want to know that they are not going to be let down again. The letter urged Lansley to seize the opportunity to act.

For myself, as I think I have said before, the idea of ending my days in care, enduring decay, loneliness and lack of purpose, strikes me as a fate *worse* than death. This point of view is conspicuous by its absence in discussions about care in later life. Why are so many of us determined to outlive our time? We are living

longer. This is generally said to be a 'good thing', but all too often it is a living hell.

A RIGHT TO INFORMATION

The Information Commissioner's Office (ICO) has published its information rights strategy, *Promoting openness by public bodies and data privacy for individuals* (December 2011). This runs to 16 pages and I hope to be able to say more about it next month. Meanwhile it is worth referring to ICO's goal. This is "to achieve a society in which:

- all organisations which collect and use personal information do so responsibly, securely and fairly;
- all public authorities are open and transparent, providing people with access to official information as a matter of course;
- people are aware of their information rights and are confident in using them; and
- people understand how their personal information is used and are able to take steps to protect themselves from its misuse."

This leads on to ICO's mission. This is "to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals."

In practice, of course, ICO has limited resources and must prioritise areas of greatest risk. These are identified in Annex 2 as:

1. Health
2. Credit and finance
3. Criminal justice
4. Internet and mobile services
5. Security.

ICO sees itself as primarily a facilitator, doing what it can to help and encourage organisations that seek to live up to their responsibilities for information rights, but nevertheless ready to act firmly with organisations that do not (www.ico.gov.uk).

SOCK AID

I don't normally remark on aids and equipment, but I make an exception for one that addresses a very common problem. It provides a simple device to help you put on and remove socks. Writing in *Arthritis News*, Patrick Hazel describes it as useful, although sometimes a bit fiddly. More at www.sock-aid.co.uk, tel: 07745 862838. Priced at £32.09.

MONARCHY

It isn't a good time to be a republican. The Queen, particularly in the context of the Diamond Jubilee, is widely and hugely admired. The wedding of William and Kate was enough to melt the heart of any romantic, and Kate is proving a charismatic boon to the image of monarchy. Even the hitherto scallywag Harry is increasingly engaging and popular. Many people feel that the sovereignty of the royals, along with their traditional pomp, is likely to be more benign, more stable, and safer than any alternative.

Yet there remain some fundamental objections to monarchy: First, that the principle of hereditary succession is profoundly undemocratic. Certainly we may sometimes be lucky in benefiting from the continuity of some estimable family traits, but history shows that we have also occasionally suffered under some really bad eggs. As Thomas Paine remarked (*Common Sense*, 1776): "how a race of men came into the world so exalted above the rest, and distinguished like some new species, is worth enquiring into, and whether they are the means of happiness or of misery to mankind." He went on to argue (among other things) that hereditary succession, claimed as a matter of right, "is an insult and an imposition on posterity. For all men being originally equals, no one by birth could have a right to set up his own family in perpetual preference to all others for ever, and though himself might deserve some decent degree of honors of his contemporaries, yet his descendants might be far too unworthy to inherit them."

Second, that the communications of the elite royals ought not to enjoy an absolute exemption from the normal transparency of the Freedom of Information Act (see *Briefings* nos.16 and 20, December 2009 and April 2010).

Third, that the cost of maintaining the monarch as head of state is prodigiously excessive.

Yet sporting crowds will continue to sing with increasing fervour, 'God save the Queen'.

SAME-SEX MARRIAGE

This is a subject greatly in the news of late. I made some observations about marriage in my 'We Hate' piece on divorce in *Briefing* no.40 (December 2011). More recently I have heard a cleric say that marriage is valid only between a man and a woman for the procreation of children in accordance with God's will. But such a view would exclude hetero-sexual couples who marry when procreation is not possible or not desired. If we presume that this was a clerical oversight, it follows that there can be no reasonable objection to the marriage of childless partners of opposite genders, predicated on mutual love. For the life of me I can find no reason – apart from homophobia – to resist same-sex marriages based on the same principle.

BINGE DRINKING

Richard Lansdown has responded to my piece on The Binge Society: "I agree, up to a point, with your idea of charging idiots who binge drink for NHS treatment, but it could create a precedent that may lead to fat people not being treated for diabetes or smokers for lung cancer."

True, Richard, but binge drinkers are an anti-social class apart. My point is that minimum pricing would punish the responsible majority for the behaviour of the irresponsible minority. There is a thoughtful article in the March issue of the RNIB's magazine *NB*.

HOW ARE YOU? THE SOCIAL NETWORK FOR HEALTH

A new website, howareyou.com, provides a fresh way to help people keep tabs on their personal care plan and interact with other people and service providers. It has a design similar to that of other social media sites such as Facebook, but the networks are all health-based. This allows you to keep up-to-date with your local GP surgery, get advice from health professionals online and post your status on how you are feeling. The aim is to increase communication between people and their health providers from a central hub.

Based on information in *Arthritis News*, Spring 2012

SECRET JUSTICE

The Spring issue of *Liberty* highlights "a sweeping system of secret justice" proposed in the government's Justice and Security Green Paper. It contends that the Green Paper "offends almost every principle of the common law notion of a fair trial", allowing the government to throw a cloak of secrecy over litigation to which it is a party by gaining control over what material can be disclosed to the other side and in open court.

Go to www.ForTheirEyesOnly.co.uk for more.

WILD ANIMAL BAN IN CIRCUSES PROMISED: BUT NOT YET

The government has indicated that legislation will be introduced before 2015 to stop the use of wild animals as performing animals in circuses. Meanwhile a stricter licensing regime has been introduced.

TAKING SLEEPING PILLS MAY INCREASE THE RISK OF DEATH

A study in the United States, published in the *BMJ Open Journal*, has found that the use of sleeping pills such as temazepam and zolpidem may have links with more than a fourfold risk of death. In this country the Medicines and Healthcare Products Regulatory Agency advises that "Hypnotics should be used to treat insomnia only when it is severe, disabling, or subjecting the individual to extreme distress, and use should be restricted to short term." (*Guardian*, 28 February 2012).

WE HATE NO. 52: COALITIONS

"England does not love coalitions."

Benjamin Disraeli, *Speech*, 16 December 1852

"Yon mixtie-maxtie, queer hotch-potch, The Coalition."

Robert Burns, *The Author's Earnest Cry and Prayer* (forgive the repetition, but it is too good to miss)

It must be understood that a coalition results from coalescence: a fusion, usually on a temporary basis, of people who though they may have diverse characteristics and principles, agree to unite in a common, like-minded cause. Such combinations, if you agree with their objectives, can be quite likeable. We currently have, for example, the Coalition of Resistance Against Cuts and Privatisation and the Stop the War Coalition, both of which strike me as devoted to admirable aims.

But coalitions will struggle to succeed if the fundamental objectives of the partners are like oil and water, and do not blend. One celebrated example was the alliance, in 1783, of Charles Fox and Lord North, previously and notoriously hostile to each other, but putting aside their differences for reasons of convenience (could this be the coalition to which Burns refers?). That ministerial coalition lasted only a little over eight months. In today's world, of course, I am thinking of a political coalition that stems from the fact that in the 2010 general election no single party was able to command a majority. This was a special creation: again a marriage of convenience in which the partners had different agendas, but came together in order to win power and at least hope to fulfil some of their aspirations. Because of their polarity, the union is now struggling and has caused many of us to hate it. One caller to Radio5Live went so far as to suggest that the Liberal Democrat Party, in joining with the Conservatives, had sold its soul for the reward of five years in power. And the signs are that it is coming apart; that the stronger partner is calling the tune and that Nick Clegg and his cabinet fellow travellers have only bit parts with limited influence. The LibDems are increasingly finding themselves identified with reforms very much out of line with their pre-election pledges and philosophy in opposition, and largely unwelcome to their grass roots membership. Indications suggest a big drop in public support and the probability of a poor showing in the coming May elections.

This coalition (based on 306 Conservative and 57 Liberal Democrat seats) began with a show of harmony, all sweetness and light on the greensward. But this was followed by a huge hike in university tuition fees, the disastrous alternative vote referendum, punitive benefit changes, and a patchwork NHS/Social Care Bill, apparently acceptable to the LibDem leadership but alien to this year's spring conference. Ahead (as I write before the budget) is the potential difficulty of reconciling LibDem rank and file to George Osborne's taxation priorities and deep divisions on reform of the House of Lords.

There is undoubtedly a strand in the party that regards the Deputy Prime Minister as altogether too compliant with Tory policy, and see this spirit of co-operation in personal terms as the consequence of a natural empathy with David Cameron. Clegg has urged his party's members to stop looking in the rear-view mirror. But, as any driving instructor would point out, it is prudent to look behind before turning right (or left). If the leader took a metaphorical look back right now, he would see the populace at large bearing down upon what they perceive as a sell-out. Even within his own ranks there is now a group, Liberal Left, that is antagonistic to the coalition, seeing it as a threat to liberal values.

As one not affiliated to either of the coalition partners, I would welcome rather more of the North/Fox animosity in the relationship. George III is no longer around to call time on this alliance, but I wonder if the time has come for the electorate to have another opportunity to express its democratic view on the tide of events.

Derek Kinrade