

DISABILITY RIGHTS BULLETIN

KEEPING OUR MEMBERS UP TO DATE

FEBRUARY 2022

Exclusive to members, our Disability Rights Bulletin covers issues relating to independent living, learning and career opportunities, welfare rights, disability equality and more.

We also keep members up to date on our activities aimed at mobilising Disabled people's leadership and control.

DISABILITY RIGHTS UK

We are the leading charity of its kind in the UK. We are run by and for people with lived experience of disability or health conditions.

Our key decisions are made through our members who elect the Board of Trustees: and by our Senior Management Team.

We work with our members to influence national policy on independent living, benefits, education, employment, transport, human rights and other issues – shaping policy through direct experience and expertise.

We also work with our local individual and organisation members to empower and to influence local policy and services.

To contact Disability Rights UK (DR UK) see www.disabilityrightsuk.org/contact-us



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DISABILITY RIGHTS UK – WHAT WE STAND FOR

Our vision

To create a society where Disabled people have equal power, rights and equality of opportunity

Our mission

We campaign for the rights of all Disabled people to be included in every aspect of life. We bring the lived experiences of Disabled people to everything we do. We challenge policy makers, institutions and individuals to remove the barriers that exist for us.

Our priorities

- Building a movement to strengthen our collective voice
- Independent living – choice control and equality in everyday life
- Inclusive economic opportunities – a fairer benefits system and opportunities to work and flourish
- Influencing public attitudes and behaviours

Disabled people leading change

News

DR UK launches Getting It Right For Disabled Apprentices report

What is it like being a Disabled apprentice? Our new report Getting It Right For Disabled Apprentices gives some insight into the answer.

Published by the [Disabled Apprentice Network](#) as part of [National Apprenticeship Week](#) and funded by the [Department for Education](#), the report explores the experiences of Disabled apprentices from their point of view, examines the barriers they face and the best way for employers and training providers to support them and get the most out of the scheme.

It explores:

- Why people chose an apprenticeship
- How they wanted to be supported by employers and training providers
- The best way to tackle conversations about disability, impairment and support
- The importance of language around disability and health conditions for young Disabled people
- The role and importance of the Government's Access to Work scheme when it comes to getting support in the workplace.

Young Disabled people who make up the Network include those who have undertaken apprenticeships across a wide range of areas, including business management, social care, learning and development and early years.



The report was written by Rabia Lemahieu, Disability and Skills Manager at Disability Rights UK. She said: *"Apprenticeships are a great way to get young Disabled people into the work*

place. If employers and training providers get the support right, apprentices will be able to get the most out of their placements; and that means they come away from the scheme all the better equipped for their future careers".

Head of Policy at DRUK Fazilet Hadi said: *"The employment rate of Disabled people is almost 30 percentage points behind that of non-disabled people.*

For young people growing up with impairments or long term health conditions, it is vital there are a range of routes into work and they receive early advice and support to help them make the best choices. For some young Disabled people, apprenticeships will be the perfect way of moving from education into the world of employment.

This compilation of the thoughts and views of young Disabled apprentices will help to raise awareness of apprenticeships amongst young Disabled people, and provide some great tips to apprentices, employers and training providers on how to make apprenticeships a success."

The report highlights a series of ideas of improving support to Disabled apprentices, including being proactive about conversations about impairments and health conditions; and better processes for getting help from the Government's Access to Work scheme.

If you're a young Disabled person looking to develop your career, or an employer or training provider involved with supporting apprentices, this report will have something of interest for you.



Getting It Right For Disabled Apprentices is available as a [PDF document](#) or a [Word document](#). There is also a [summary of the report in Easy Read](#).



[Amazing Apprenticeships](#) promotes apprenticeship opportunities and resources.

For more information about the Disabled Apprentice Network, please contact rabia.lemahieu@disabilityrightsuk.org.

High Court dismisses legal challenge to Disabled student's exclusion from Universal Credit

The High Court has dismissed a judicial review brought against rules restricting Universal Credit (UC) to Disabled students.

Flinn Kays, a disabled 19 year-old student, argued that the rules that existed prior to 15 December 2021 were unlawful. These rules had prevented him from receiving UC until he first underwent a work capability assessment and established a limited capability for work.

Flinn receives the enhanced rate of both the mobility and daily living components of the PIP, but is having to use that money to meet his general living expenses.

He calculates that he may be entitled to around £900 a month in UC. But in line with UC rules, his claim for UC was refused and he was not invited to a work capability assessment.

However, the High Court has now dismissed Flinn's legal challenge.



DR UK Welfare Rights and Policy Adviser Ken Butler said: *"This is a really disappointing judgment. It is already twice as likely that a non-disabled student will attain a degree level qualification than a Disabled student – this gap will only increase if Disabled students are not able to supplement their income with UC."*

UC does not duplicate student finance as the DWP seeks to maintain. Student maintenance income is already counted as deductible income under UC regulations. But other types of awards to Disabled students are rightly excluded as deductible income.

For example, [Disabled students' Allowances](#) cover extra disability-related costs or expenses someone has while studying which are over and above those provided as reasonable adjustments by the college or university. As such, they are rightly ignored as income for UC rules as UC does not include any amount for such costs.



Hopefully there will be grounds to challenge the High Court judgment to the Court of Appeal. In the meantime, Disabled students should still claim New Style Employment and Support Allowance in order to secure a work capability assessment. Obtaining a limited capability for work decision will help in securing UC should a future legal appeal be successful."

It is already twice as likely that a non-disabled student will attain a degree ... this gap will only increase if Disabled students are not able to supplement their income with UC.

Note: The High Court was looking at the rules that applied to Disabled students prior to 15 December 2021. It did not look in detail at [the new more restrictive rules introduced from that date](#).

These rules now further restrict UC claims by those 'receiving education' to cases where a Disabled student had established a limited capability for work before they started education.

Should an appeal against the High Court's judgment be successful these more restrictive rules will be nullified.

- A factsheet about [UC rules for Disabled students](#) is available from [contact.org.uk](#).
- The High Court judgment in Kays, R (On the Application Of) v Secretary of State for Work and Pensions – [\[2022\] EWHC 167 \(Admin\)](#) – is available from [www.bailii.org](#).
- A case law summary of the judgment is available in the February 2022 edition of our [Disability Handbook Updater](#).
- For more information see the DR UK news story [Disabled student granted permission to legally challenge rules excluding him from UC](#).

Disability strategy ruled unlawful with DWP denied permission to appeal

The Government has been denied permission to appeal against a High Court ruling that the entire disability strategy is unlawful, not just the national consultation.

The Court confirmed that the National Disability Strategy, [published by the Government last July](#), “is unlawful” because the consultation itself was unlawful.

The court ruled that the consultation was unlawful because the thousands of Disabled people who took part were not given enough information about the Government’s proposed strategy to allow them “intelligent consideration and response”.

Mr Justice Griffiths, who heard the case, has denied the Work and Pensions Secretary Therese Coffey permission to appeal. He concluded that its appeal had “no real prospect of success” and that there were “no compelling reasons to hear an appeal”.

Despite the ruling, the Government can still apply for permission to appeal in the Court of Appeal.

The Minister for Disabled people Chloe Smith has said that the Government was “disappointed” with the court’s judgment and “intend[s] to appeal”.

Smith said that Ministers “remain focused on delivering the contents of the strategy, which is broad and important”.



Disability Rights CEO Kamran Mallick said: *“We have a phrase in the disability community: ‘nothing about us without us’. I pay tribute to the Disabled people who fought for justice and gained this landmark ruling.*

A Disability Strategy formulated without deep listening to the voices of Disabled people is doomed to failure. The Government must now go back and do what it should have done the first time round: dedicate time and resources to

enable Disabled people to speak freely and fully on our lived experience, demonstrate we have been fully heard, and share draft Strategy proposals with us for discussion and comment.”



DR UK Head of Policy Fazilet Hadi said: *“Disabled people raised grave concerns both before and during the consultation that it didn’t give enough time or have enough reach to truly represent the views of Disabled people, which must be at the heart of the strategy.*

It is frustrating given how much lack of equity Disabled people have in society that, in effect, a whole year has been wasted which could have been used to start real change for Disabled people. Government needs to deeply listen and genuinely engage with Disabled people in advance of renewing a Strategy which delivers real, tangible change.”

DPO Forum England has written to Chloe Smith to ask for a meeting to discuss its members’ concerns about the Government’s continuing failure to engage with DPOs in a “strategic and meaningful way”.

It believes the High Court ruling should lead to a “renewed” National Disability Strategy that is “rooted in the views and experiences of Disabled people”, and which has “direct input” from Disabled people and DPOs.

Forum members to sign the letter include [Inclusion London](#), [Disability Rights UK](#), [Reclaiming Our Futures Alliance](#), [People First](#), [Disabled people Against Cuts](#), [National Survivor User Network](#), [Disability Sheffield and Greater Manchester Coalition of Disabled people](#).

They told Smith that a new national strategy should prioritise action to tackle issues such as poverty, living standards, independent living, transport, education, housing and employment.

The letter calls for Smith and representatives of the Government’s Disability Unit to meet members of the forum so they can “re-set

engagement” to ensure that it is “fit for purpose and enables us all to work together to tackle the many pressing and complex issues Disabled people are experiencing”.

It also calls on the minister to pause the Government’s review of the way it engages with Disabled people.

The letter points out that the UK Government’s engagement with Disabled people and DPOs has been a long-term concern and was highlighted in

a high-profile 2017 report by the UN committee on the rights of persons with disabilities, which criticised its failure to ensure “effective participation” of DPOs in “decision-making processes concerning policies and legislation”.

For more information see the following [disabilitynewsservice.com](https://disabilitynewsservice.com/article/dpos-ask-minister-for-reset-after-court-ruling-that-disability-strategy-is-unlawful) article: [DPOs ask minister for ‘reset’ after court ruling that disability strategy is unlawful](https://disabilitynewsservice.com/article/dpos-ask-minister-for-reset-after-court-ruling-that-disability-strategy-is-unlawful)

DISABILITY RIGHTS HANDBOOK

Edition 47
April 2022 - April 2023

A guide to benefits and services for all disabled people, their families, carers and advisers

Disability Rights UK

NEW EDITION

NEW EDITION

Published April 2022
£39.00 inc P&P
£19.50 if you're on benefits



Disability Rights Handbook 2022-2023 Edition

The removal of the £20 a week Universal Credit uplift in October 2021 was the most dramatic single cut in welfare provision for a generation. Even before the removal of the uplift, three in ten new Universal Credit claimants had fallen into debt or seen their existing debt grow.

The cut could not come at a worse time. As inflation cuts into household budgets, food and energy bills are rising steeply. Financial insecurity is compounded by the extra costs that disabled people face. It is essential that disabled people, their families and the people who support them are kept up to date on the ever changing benefit system.

The pandemic has put immense pressure on a social security system already battered by a decade of cuts. In this challenging and uncertain period, keeping up with the changing rules is crucial.

Benefits, Tax Credits and Social Care

The handbook provides in-depth information and invaluable guidance on the benefits system and social services. It sets out how social care operates around the UK, how support needs should be met and how to complain if they are not. Fully updated for 2022/23 and easy to find your way around, it has the answers you need, to claim what you're entitled to, or to challenge an unsuccessful application for benefits or social care.

Full of tools and tactics to help you make a successful claim.

Handbook Updater

Get page-by-page updates to your handbook as legislation changes through the year. Published bi-monthly from June 2021-February 2022, it will arrive in your email inbox in a convenient, easy to print A4 PDF format.

Add our [Handbook Updater](#) to your order for **£6.00**.

Order your Disability Rights Handbook now from our [online shop](#)

Buy our publications online at www.disabilityrightsuk.org

PIP replacement part of new user-led plan to transform the social security system

Radical proposals have been launched by a user-led commission for sweeping reform of the social security system that include a new “extra costs” benefit for disabled people.

The [Commission on Social Security](#) – led by [experts by experience](#) – argues that the current working-age benefits system should be replaced by something with something that is no longer “guided by stereotypes and myths about Disabled people and people in poverty”. All the Commissioners had lived experience of the social security system.

The Plan for a Decent Social Security System calls for the following transformational changes:

- Everyone would be treated with dignity and respect
- Nobody would ever have less than half the minimum wage – currently £163.50 a week – to live on, because of the Guaranteed Decent Income (GDI)
- The Joseph Rowntree Foundation Minimum Income Standards for what amount of money is needed for an acceptable standard of living would be ensured
- Child benefit of £50 per child each week

The importance of other factors in providing social security – good jobs, housing, childcare and so on – would be recognised and acted on. The Commission’s proposed GDI would:

- replace Universal Credit and all other legacy benefits.
- have no sanctions, no benefit cap, no five week wait and no two child limit
- meet the Joseph Rowntree Foundation Minimum Income Standards for what amount of money is needed for an acceptable standard of living
- include a Disability Supplement that would be separate to a new disability benefit to replace PIP

In terms of a new disability benefit to replace PIP, the Commission proposes a new non-means-tested benefit to cover the extra costs that Disabled people face due to illness/impairments, based on the social model of disability.

The Commission proposes the following framework for developing the new benefit:

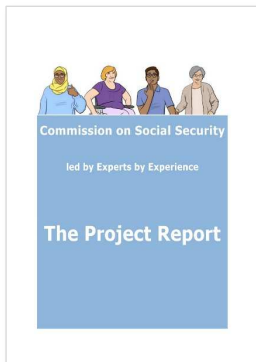
- Designed in full co-production with Disabled people. (Principles: annual uprating, no one financially worse off, as little burden on claimants as possible for assessment and review, awarded based on need (not top down targets), no risk that anyone will be left with nothing at any point
- Individualised assessments based on the claimant’s self-identified support needs and testimony
- A collaborative approach to decision making; assessors/decision makers to have in depth training and understanding of the social model of disability, and impairment and illness awareness
- More paper based decisions; if decision cannot be made just on paper evidence then assessment venue and type to be of claimant’s choosing. All forms and communication to be available in accessible formats
- Free advocacy provided by user led services; fast, accessible, transparent appeals process
- Take account of a person’s full circumstances such as the need for a buddy when travelling or the multiple access barriers Deaf people face
- No separate care and mobility components; lifetime awards to be available; longer gaps between reviews

The new disability benefit’s payment rates would be: Lower (£83.70 per week); Middle (£152.15 per week); Higher (£230.77 per week).

The lower rate matches what someone would currently get if they received the PIP standard rate for both daily living and mobility. The middle rate matches what someone would currently get if they received the PIP enhanced rate for both daily living and mobility.

It is above the £134.54 per week amount that research by Scope in 2019 found was the average additional cost that disabled people face.

The higher rate works out at £1,000 per month. Scope's research found that 1 in 5 disabled adults and nearly one quarter of families with a disabled child face extra costs of over £1,000 per month.



Further information about the [Plan for a Decent Social Security System](#) is available at commissionon-socialsecurity.org

This includes:

- The Plan as an Easy Read document
- A pre-recorded Questions and Answers interview between Commission Co-chair, Ellen Morrison, and Dr Kate Summers who is a British Academy Fellow in the Methodology Department at the London School of Economics (the recording has British Sign Language interpretation and captions)
- An audio version of The Plan, read by Commissioners
- A full Project Report
- A Technical Report

Make a donation while you shop

Sign up for Easy Fundraising and Amazon Smile

Every time you shop with a variety of retailers, (such as Amazon, M&S, Vodafone, eBay, Tesco, Viking) a donation will be made to Disability Rights UK.

It costs you absolutely nothing

Help us carry out the vital work we do, which is needed now more than ever.

[Shop online and raise money for Disability Rights UK](#)

Note: If you use the Amazon app on your phone, AmazonSmile has to be turned on: find out how [here](#)



Genuine Radar NKS Key

Get priority access to accessible public toilets

If you have a health condition or disability, finding an accessible toilet that's clean, tidy and available for you to use can be a challenge. And they're often kept locked. The Radar key gives you access to over 9,000 locked disabled public toilets around the UK.

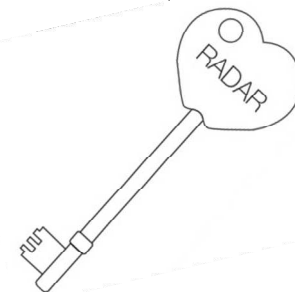
Disability Rights UK manages the Radar NKS Scheme and rely on key sales to maintain it.

Don't risk buying a cheap copy that may not work.

All our keys are individually tested and guaranteed by our master locksmith.

Genuine NKS Radar Key: £5.00 inc P&P and VAT (if applicable)

Available from our [online shop](#)



Disabled people's experiences of the benefits system: Committee publishes withheld Government - commissioned research

The Work and Pensions Committee of MPs has used parliamentary powers to publish a report on Disabled people's experiences of the benefits system that the DWP had consistently refused to make public.

The report – The Uses of Health and Disability Benefits – was received by the DWP in September 2020. It followed a research project led by the National Centre for Social Research, which interviewed Disabled people about their experiences of receiving PIP, ESA, and Universal Credit.

It reveals that Disabled people who did not have income outside the benefits system “reported that they were often unable to meet essential day to day living costs”, such as food, rent, and heating.

Disabled people reported that they were often unable to meet essential day to day living costs.

This research also highlights that health and disability benefits are a key element of the support that is available. For those with restricted financial circumstances, they offered a regular income which provided reassurance that some of their essential day-to-day living costs would be met. However, some of this group reported that they were still unable to meet essential living costs such as food and utility bills.

Among the report's key findings concerning benefit payments include:

- Participants with very limited financial resources in particular said that an increase in benefit payments would improve their overall wellbeing.
- Recipients of PIP felt that eligibility for the benefit should enable passporting to other benefits, including free prescriptions, eye tests, and Housing Benefit.
- Where participants had moved from one benefit to another eg DLA to PIP, they felt payment amounts should be maintained and not reduced.

Other key findings include:

- Participants believed better access to health services, particularly mental health services, would improve their quality of life and wellbeing.
- Support to combat social isolation and loneliness through peer support, was identified as a key need amongst participants, regardless of financial circumstances.
- Suggested improvements to DWP services included: greater awareness-raising and signposting to benefit entitlements, enhanced customer service from Jobcentre Plus increasing certain benefit amounts, and giving claimants more control over when and how payments were made.



Stephen Timms MP, Chair of the Work and Pensions Committee, said: *“The report gives a valuable insight into the experiences of people claiming health and disability benefits. While the system is working for some, we now know that others reported that they are still unable to meet essential living costs such as food and utility bills.*

By persisting in its decision to hide away evidence of the struggles people are facing, the DWP will only have further harmed its reputation with Disabled people at a time when – as its own officials have acknowledged – lack of trust is a major issue. In order to rebuild its relationship with Disabled people, the DWP must stop trying to bury uncomfortable truths.”

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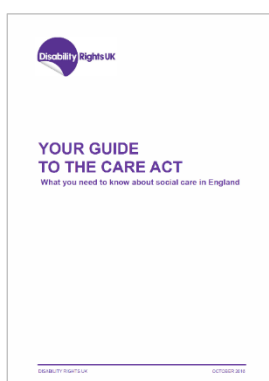
Anastasia Berry, Policy Co-Chair of the [Disability Benefits Consortium](#) (of which DR UK is a member) and Policy Manager at the MS Society said: *“The DWP's failed cover-up of this damning research is just the latest example of their disregard for Disabled people, including those with MS. For years,*

Disabled people have been subjected to a benefits system which is stressful, confusing, and fails to provide the basic support they need.

Now, with the cost of living crisis erupting, many are reaching breaking point. The Government can no longer continue to push Disabled people

aside, or hide key pieces of evidence. They must urgently increase benefits by 6% in April, in line with current inflation, and create a social security system that puts Disabled people first."

[The Uses of Health and Disability Benefits](https://committees.parliament.uk) is available from committees.parliament.uk



Your Guide to the Care Act

What you need to know about social care in England

The Care Act became law in 2014. It puts together all the previous pieces of law about social care as well as setting out some new duties and rights. The biggest part of the Act, part one, is about how local authorities should provide social care. This part of the Act has been in force since April 2015.

About the Guide

This guide is for disabled people and people with long-term health conditions who have support needs. It concentrates on those parts of the legislation that are most relevant to people of working age. It does not cover everything that is in the Act but concentrates on those parts of the legislation that are most relevant to people of working age.

The guide includes:

- General principles that should apply to social care
- Who can get social care support from their local authority
- What should happen when you have an assessment
- How to plan meeting your care needs
- Personal budgets and direct payments
- How much you might have to pay
- What to do if you move to another area
- A glossary of social care terms and links to further information

Free to download
Printed copies £5

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available from our
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Tell us about your care

The Care Quality Commission (CQC) is the independent regulator of health and adult social care in England. They've asked Disability Rights UK to encourage Disabled people to participate in their 'Share Your Experience' (SYE) initiative. Their aim is to use people's experiences of services and quality of care.

Examples of [services](#) regulated by CQC include GP surgeries, dentists, care homes and services in your home.

Help the CQC to decide when, where and what to inspect. Let's make care better together.

You can give us telephone feedback by calling 0330 995 0400 (choose option 1) or complete the form on the [CQC website](#).

We're working together to make sure health and social care services in England provide people with high-quality care.



Share Your Experience
Please click [here](#) to
complete the SYE form

Disabled people urged to back campaign to scrap social care charges

Disability Rights UK is urging campaigners and disability organisations to back parliamentary efforts to scrap social care charges for working age Disabled people.

The issue has been raised in the House of Lords as peers [debated](#) the Government's Health and Care Bill.

Baroness Jane Campbell argued during the Committee stage of the Bill that free social care is a vital human right for Disabled people.



During the debate, Baroness Campbell said: *“Government amendments to the Care Act disproportionately affect working-age people, especially those with lifelong disabilities who draw on support for their day-to-day needs.”*

She backed amendments tabled by other peers that would scrap social care charges for many working age Disabled people and cap increases for others.

Baroness Campbell told the House:

“Care and support for those who depend on it is no less fundamental than healthcare is to survival In his foreword to the Government's disability strategy, the Prime Minister says that it is the Government's ‘determination to level up the country so that whoever and wherever you are, the spark of your talent and potential can be connected with the kindling of opportunity’, yet this Bill introduces a social care means test which drives disabled people into poverty and places a cap on aspiration.”



Fazilet Hadi, Head of Policy at DR UK said: *“Disabled people and disability organisations must take this opportunity to back calls being made in the House of Lords. We need to lobby our MPs and share our stories with the media, to get across*

the devastating impact of social care charges on the lives of disabled people.

Baroness Campbell has made a powerful case for scrapping charges, as have other Lords, and we need to add our voices and make our support visible.”

Scrap Care Charges

[Scrap Care Charges](#) (SCC) is a coalition of Disabled People's Organisations, parents, carers and allies working together to end the social care charging scandal and transform social care.

Highlighting why we need change now, SCC says that: *“We all want to live a good life, with meaningful relationships and doing things that are important to us. Many Disabled and older people need social care support to do simple things in life.*

Unlike the NHS, however, social care support is not free and even people on very low incomes, including those on means-tested benefits.

There is no time for delay and no room for excuses. The Government must urgently reform and invest in social care and end the social care scandal. It should be on equal terms with the NHS, free at the point of delivery and based on the lived experiences of disabled people, older people, parents and carers.”

Take action and email your MP [here](#).

[A powerful film](#) explaining why social care charges are unjust and unfair and undermine Disabled people's choice and control and right to independent living.

More information and resources are available [here](#).

Training

Introduction to Welfare Benefits – online course

2 x half-day sessions – Tuesday 17 and Wednesday 18 May 2022

Don't know your UC from your PIP? Confused by the range of health and disability benefits?

This course is designed for professionals who work in advice or advocacy and need to know more about – or need a refresher on welfare benefits and social security.

It is ideal for advice workers, social workers, support workers and anyone else supporting clients with social security benefits. It is not suitable for individual claimants.

The course is a practical combination of trainer presentation, exercises, case studies, group discussion and games. It's run 'live' in four parts over two half-day sessions on consecutive days.

Part 1: Tuesday 17 May, 9.45am - 12.45pm

The structure of the system and the importance of health and disability benefits

Part 2: Wednesday 18 May, 9.45am - 12.45pm

Universal Credit, the wider benefits system and maximising income

The course covers:

- How the benefits system is structured
- Contributory, non-contributory and means tested benefits
- Who can claim
- Work-related benefits for claimants who cannot work due to a health condition or a disability
- Benefits for claimants of all ages whose everyday lives are affected by a health condition or a disability
- Who can make a claim for Universal Credit
- How a claim for Universal Credit affects other benefits
- How to do a basic benefits check to ensure people are claiming their likely entitlements
- How to check that a decision is correct and what to do if it's not

Click here to [book your place](#)

The course is delivered in partnership with the Benefits Training Company, by knowledgeable, experienced trainers.

Participants will be provided with e-learning supporting material including PowerPoint slides and a comprehensive training pack.

To participate, you will need a Wi-Fi connection and a suitable device to access the internet.

Cost: £120 plus VAT for DR UK organisational members

To find out more click [here](#)

Find out more about our training and consultancy [here](#)



Support our work by giving a regular monthly amount

We receive no Government funding. Help us build a fighting fund to underpin our core work supporting disadvantaged disabled people.

- **£3** a month can provide a disabled person with life-changing advice and guidance
- **£10** a month will fund updating a DR UK factsheet to help thousands of disabled people get the support they need
- **£20** a month can fund our policy team to influence the protection or extension of a key right in the daily lives of millions

Please sign up to give a regular monthly amount [here](#)



Preparing for an Appeal Tribunal – online course

2 x half-day sessions – Wednesday 25 and Thursday 26 May 2022

This course is aimed at professionals who work in advice or advocacy who need to know about how to prepare for an Appeal Tribunal. A working knowledge of Personal Independence Payment and the Work Capability Assessment is assumed. Please note this course is not for individual claimants.

This is a practical course delivered using a combination of trainer presentation, exercises and case studies, group discussion and games. Participants will be provided with e-learning supporting material including PowerPoint slides and a comprehensive training pack. To participate, you will need a Wi-Fi connection and a suitable device to access the internet.

- **Part 1: Wednesday 25 May, 9.45am - 12.45pm**
Assessing the case, reviewing the DWP decision
- **Part 2: Thursday 26 May, 9.45am - 12.45pm**
Composing effective written submissions, preparing claimants for appeal hearings

Cost: £120 plus VAT for Disability Rights UK organisational members

Click here to [book your place](#)

Disability Confidence Training

Taking a positive approach to diversity and inclusion is good for business. Common benefits include increased productivity, innovation, wellbeing and organisational reputation.

Our training can be tailored for managers, HR personnel or general staff and focus on supporting disabled colleagues, disabled customers, or both. We can adjust the content to meet your organisation's specific objectives.

“There is no one else quite like Disability Rights UK out there providing this sort of business solution from a position close to the disability landscape. Their understanding of disability employment and service provision issues is very good.”

Parliamentary and Health Service Ombudsman

Courses are delivered in a jargon-free and open environment, and are interactive, involving discussion, group work, case studies and personal reflection.

For more information, email training@disabilityrightsuk.org



DR UK projects

Leadership Academy Programme Online

A Career development programme for disabled employees



The [Leadership Academy Programme \(LAP\)](#) was developed after a group of disabled senior leaders found that, whilst disabled employees were managing to gain employment, their ability to excel up the corporate ladder appeared limited. Katrina Morris our Project Manager explains more.

We have seen LAP run successfully now for seven years and to date we have a vast array of testimonials from both delegates and mentors, indicating the impact that participating in LAP has had on them, both personally and professionally. We are always interested in forging new partnerships, with organisations who are keen to include a robust leadership programme, for disabled employees, within their D&I Strategy.

LAP aims to:

- Address the need for greater equality in the workplace
- Improve the employment position of Disabled people, enabling them to fulfil their potential
- Provide employers with access to the widest possible pool of talent at management and senior level
- Increase the visibility of capable, confident disabled leaders, to contribute to a more balanced view of Disabled people across UK society
- Build recognition of the qualities Disabled people contribute in terms of resilience, problem-solving, empathy and creativity
- Impact workplace culture and help to bring about genuine inclusivity for disabled employees.

LAP is now delivered online. The benefits of moving the programme online include providing a modular format to encourage sustainable growth for LAP and being able to provide tailored options for employers. Participants can access the programme flexibly, without travel barriers.

Programme Delivery

The 2023 course comprises 14 sessions (of 2-4 hours) running from February 2023 to September 2023.

LAP has been updated to include content which is reflective of the changing environment we are now faced with and includes a mix of core leadership modules and is recognised by The Institute of Leadership & Management (ILM).

Impact Statements from participants



"What DR UK have created is an incredible platform which allows people to develop new skills and grow, personally and professionally. Taking part in LAP has an incredible impact both for delegates and those who volunteer as mentors. Giving people the opportunity to learn and grow should always carry great importance and LAP does exactly that. It is well organised, well supported, and clear in its direction and purpose." Andy Horne – mentor

"I decided to attend the LAP because I always felt that I had quite realised my potential and on reflection realised that being disabled had impacted on my self-belief and behaviours at work for progression. I have found the content of the course and the trainer interesting and engaging. It always helps when someone delivering a course is genuinely enthusiastic about their subject matter."

Whilst being on the course, a combination of the learning itself and discussions with other participants have really helped me realise that I'm not unique in my outlook and behaviours and provided me with tools to improve and think about leadership differently, appreciating the behaviours of others and how to utilise this in a team. Towards the end of the course, I decided to throw my hat into the ring for a new job and a promotion at work. I'm delighted to say I got the job and will now get to put into practice what I have learnt as I will be managing a small team". Delegate of 2021 cohort

The Programme includes:

- Career aspirations, setting objectives and goals
- Communication/leadership/management skills
- Self-development and confidence-building
- Applying new techniques to live projects and presentations, related to a current workplace challenge. Providing a great resource for their place of work.
- One-to-one mentoring from an experienced senior leader
- Sharing experiences with other aspiring managers and learning from their success strategies
- Being a member of our Disability Alumni Network, offering exceptional networking events with inspirational keynote speakers

These delegates return to their place of work, with increased confidence and leadership skills and this ultimately impacts their working practices and culture of the business/organisation, ensuring greater inclusivity for disabled employees.

Option 2

We can design a bespoke programme, tailor-made to meet the needs and aims of the organisation. Employers can place 10 or more staff, into a private cohort and we'll help to manage all the administration, mentoring relationships, and programme schedules, affording the delegates the best possible opportunity to succeed and for the greatest impact on the business/organisation.

The Programme options:

Option 1

Employers can sponsor individual employee(s) onto the main cohort. This is a mixed cohort, where our partnering organisations such as the Ministry of Justice, the Foreign and Commonwealth Office (now Foreign Commonwealth & Development Office), Care Quality Commission, Devon & Cornwall Police, and many others send employees onto the programme annually.

If you would like further information about LAP, please visit our [website](#), or contact Katrina Morris our Project Manager: katrina.morris@disabilityrightsuk.org.



Get Ahead

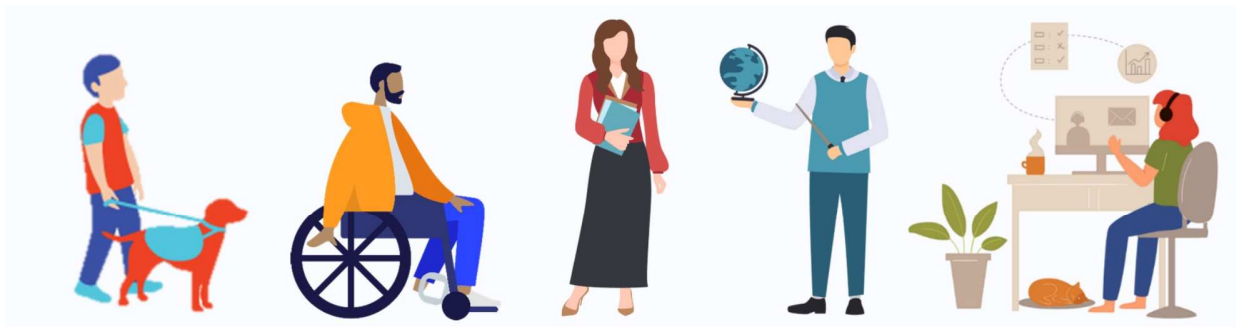
Get Ahead is a toolkit and resource co-produced with and for disabled young people.

The newsletter and magazine will help you navigate the wide range of information and resources that are available in post-16 education, training, and work.

It is a platform where young people can have their voice heard and share the many talents they have.

The latest edition of the Get Ahead Newsletter is now available to download.

Download Get Ahead Newsletter issue 17 [here](#). More Get Ahead resources are available [here](#).



The Disability Rights UK newsletter co-edited with and for young people

Get Yourself Active

UK's Chief Medical Officers publish the first-ever guidelines on physical activity for disabled children and young people

The guidance, which recommends daily physical activity levels, will support Disabled children and young people to improve their physical and mental health throughout their lives.

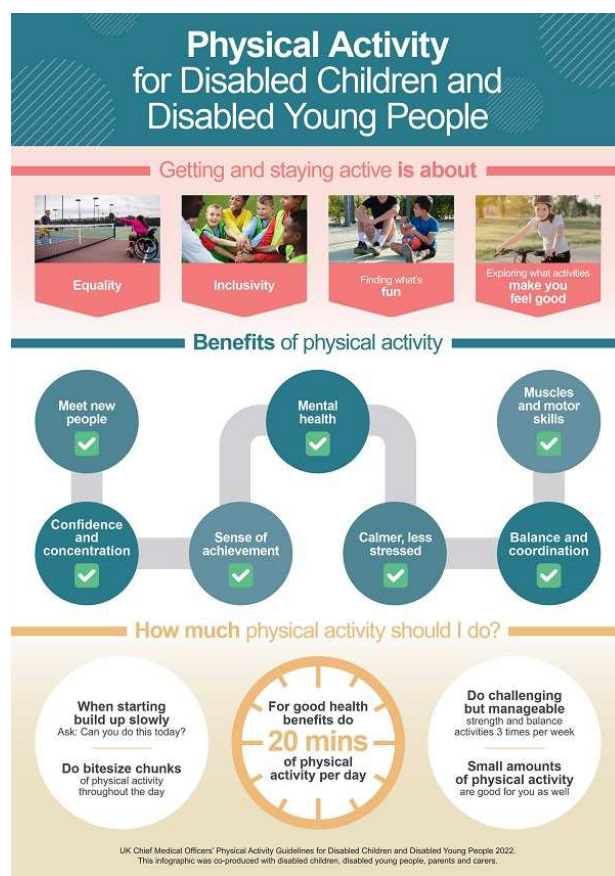
Brett Smith, Director of Research, Professor of Disability and Physical Activity in the Department of Sport and Exercise Sciences at Durham University explained the importance of the guidelines:

"Physical activity guidelines are a central component of a coherent and comprehensive policy framework for public health action.

They are an important information resource, guide national goal setting, and inform policy development to help the public be physically active and improve health, including work tackling wider structural and social determinants. Guidelines also serve as primary benchmarks for physical activity monitoring and surveillance initiatives."

The guidelines are underpinned by Durham University, University of Bristol and Disability Rights UK's research. The infographic they are presented in is the first of its kind to be co-produced with disabled children, young people and their families. You can find an animation of the infographic linked [here](#).

The new guidelines recommend disabled children and young people undertake 120 to 180 minutes of aerobic physical activity weekly at a moderate-to-vigorous intensity.



This can be achieved in different ways (for example, 20 minutes per day or 40 minutes 3 times per week) through activities such as walking or cycling.

Complete challenging but manageable, strength and balance activities 3 times per week are particularly beneficial for muscle strength and motor skills. For example, indoor wall climbing, yoga, and modified sports such as basketball or football.

When first starting to exercise, build up slowly to avoid injury. Break down their exercise into bite-size chunks of physical activity throughout the day to make it more manageable.

Kamran Mallick, CEO of Disability Rights UK, said: *"At Disability Rights UK we are really pleased to have worked with Durham University on the development of the UK Chief Medical Officers' physical activity guidelines for disabled children and young people."*

This is an essential resource to demonstrate the health benefits disabled children and young people can achieve through regular physical activity.”

Disabled people have a right to get active in ways that work for them, and these guidelines show how important this is. The evidence-based infographic is not only a highlight of the project but a positive example of co-production in practice.”

Disabled children and young people, their parents and carers, health and social care professionals, and key disability and sports organisations have all been involved in co-producing the infographic. The final version results from their involvement and input into this project.”

For more information see [New guidelines to support disabled children to be more active available](#) from gov.uk.



Get Yourself Active

Get Yourself Active is funded by Sport England and led by Disability Rights UK. We work alongside Disabled people and Disabled people’s user led organisations (DPULOs) to lead change in the social care, health and sport sectors, in order to improve health and wellbeing outcomes for Disabled people and to help them to get active in a way that is right for them.

Disabled people and people with long-term health conditions are one of the most inactive groups in society. We know that more needs to be done to understand their barriers to physical activity and how best to overcome them.

Check www.getyourselfactive.org or follow us on twitter [@getyrselfactive](https://twitter.com/GetYrselfActive) for updates.



Helplines

Member Organisations' Welfare Rights Helpline



Ken Butler highlights a recent a query answered by our [Member Organisations benefits helpline](#).

Self-employment earnings and permitted work

Q: We are supporting a client who has a self-employment business and is on the ESA permitted work scheme.

Last year their appointee spoke to DWP and she was told that the accounts needed to be sent in every 3 months and that the earning limit would be based on what was earned in that 3-month period. This client has earned slightly more in the last 3-month period, but well under the threshold on the other months.

Their appointee called DWP and was told that the previous information that was given was incorrect and that the advisor had had no right to tell them such things.

They have now been told that they can submit the accounts yearly and that earnings will be based on an average of 5 weeks. What 5 weeks actually means they were unable to tell us as they didn't know themselves.

Is this the correct way for should assessing self-employed earnings for permitted work?

A: For ESA, the basic higher permitted work rule is that you can earn up to £143 a week and that you must not work 16 hours or more per week.

However, this rule can only be straightforwardly applied if someone is a waged earner contracted to work a specified number of hours and paid weekly. If not, the permitted work rule must be applied through a process of averaging out earnings and hours.

The issue in this client's case is what length of time will enable her hours and earnings to be more accurately determined.

Members Organisations' Welfare Rights Helpline

Our member organisations' benefits and tax credits advice service is hosted by Ken Butler.

Ken is able to take calls on 0203 687 0779 Tuesday and Thursday, 10.30am – 12.30pm

Or email Ken anytime at: ken.butler@disabilityrightsuk.org

Unfortunately, we are not resourced to answer benefit queries from individuals.

[Regulation 92 of The Employment and Support Allowance Regulations 2008 says:](#)

92-(1) Except where paragraph (2) applies, where a claimant's income consists of earnings from employment as a self-employed earner the weekly amount of the claimant's earnings is to be determined by reference to the claimant's average weekly earnings from that employment:

- a) over a period of one year; or
- b) where the claimant has recently become engaged in that employment or there has been a change which is likely to affect the normal pattern of business, over such other period as may, in any particular case, enable the weekly amount of the claimant's earnings to be determined more accurately.

So, to not assess self-employed earnings over a year, the DWP would in any individual case have to maintain that this would not allow that person's earnings to be accurately determined in preference to another averaging period.

Has the client access perhaps to an accountant who could advise on arguments as to why a yearly assessment would give more accurately determined hours and earnings picture?

Unfortunately, I can't find any case law that concerns self-employed workers and permitted work.

However, the relevant legislation is Regulations [45](#), [92](#) and [98](#) of [The Employment and Support Allowance Regulations 2008](#).

In addition, paragraphs 41187 to 41255 of Chapter 41 of the DWP's Guidance Manual [DMG: ESA – conditions of entitlement](#).

If the DWP is requesting that the client report her self-employed earnings yearly then it's difficult to see why it could maintain that a more accurate picture of her earnings could be averaged over any five weeks.

Does she give separate 52 weeks of figures to them before totalling them up?

If not, then will it divide the yearly figure by 52 and then times by 5?

I think the DWP may be wrongly applying the averaging rule that applies to employed earners, not self-employed earners like the client.

In the case of employed earners, where the weekly amount of a claimant's income may be averaged if the income fluctuates and has changed more than once or the regular pattern of work means that the claimant does not work every week.

In this case, a Decision Maker should average over:

- a complete cycle if there is a recognizable cycle of work; or
- five weeks; or
- another period if this means a more accurate weekly amount can be calculated.

It would be worth highlighting to the DWP the averaging rules that should apply to self-employed earners.

Disability Rights UK Factsheets

Our series of over [70 factsheets](#) provides free, basic information about benefits, tax credits, social care and other disability related issues.

Topics covered include:

- appealing against your benefits decision
- jobseeker's allowance
- legacy benefits and universal credit
- permitted work
- personal independence payment
- universal credit and disability
- work capability assessment

Personal Budgets Helpline

Personal Budgets Advice Line Service

This service provides advice for individuals and organisations on self-directed support, personal budgets and direct payments.



Banane Nafeh deals with enquiries for Disability Rights UK's Personal Budgets advice service. The advice line is open Tuesday and Thursday from 9.30am-1.30pm.

Telephone: 0330 995 0404 during our opening hours or contact Banane anytime on email: selfdirectedsupport@disabilityrightsuk.org

Independent living factsheets include:

- attendance allowance
- brokerage and the role of brokers in relation to social care
- charging for community care
- community care direct payments
- continuing health care
- getting personal assistants
- how much do I pay my personal assistant?
- non-residential charges: paying towards the cost of your care and support at home
- personal health budgets

Disabled Students' Helpline

Disabled Students' Helpline

Our advice service can provide advice on education, training and employment.



Rundip Thind, DR UK's Student Helpline Adviser, responds to enquiries to our disabled students' helpline. The helpline is open Tuesday and Thursday 11am-1pm.

Telephone 0330 995 0414 (freephone) during our opening hours or contact her anytime on email: students@disabilityrightsuk.org

Our education factsheets include:

- funding higher education for disabled students
- adjustments for disabled students
- applying for disabled students' allowances
- funding from charitable trusts
- funding further education for disabled students
- postgraduate education for disabled students
- telling people you're disabled – clear and easy guide for students
- understanding the equality act: information for disabled students



Into HE 2022
A guide to additional support in higher education

Into Higher Education

A guide to additional support in higher education

This guide is designed to help disabled students make the right decisions about studying in higher education. It deals with common questions: whether the college or university will be accessible, how to choose a course and what support will be available.

The guide includes:

- The student finance system, tuition fees and repayment methods
- Support that will be in place
- Case studies where disabled students write about their own experiences
- A resources section: helpful websites, publications and organisations

"A great resource focused specifically on the needs of disabled learners. Highly recommended" Undergraduate Recruitment and Widening Participation Co-ordinator, University of Manchester

Free to download

[Download a PDF](http://www.disabilityrightsuk.org) from: www.disabilityrightsuk.org



Into Apprenticeships 2022
The guide for disabled people

Into Apprenticeships

The guide for disabled people

Doing an apprenticeship is a great way to earn a salary, get qualifications and develop your career. This guide is designed to help disabled people, parents and advisers, answer the key questions about applying for an apprenticeship in England.

The guide includes:

- How to apply and find vacancies
- What support is available in the workplace
- Case studies where disabled students write about their own experiences
- A section listing helpful websites, publications and organisations

Free to download

[Into Apprenticeships](http://www.disabilityrightsuk.org) is available from: www.disabilityrightsuk.org

EHRC HELPLINE FOR ADVISERS

The Equality and Human Rights Commission (EHRC) now provides a telephone-based service for the advice sector, solicitors, other organisations that support individuals with their problems, trade unions, and ombudsman schemes.

- Do you work with people who may have been discriminated against?
- Are you unsure whether someone might be able to make a complaint about a human rights issue?
- Have you been asked to help with a discrimination or human rights issue?
- Do you want to talk through a case?

Accessibility: If you require reasonable adjustments to access EHRC Adviser Support, you can email us:

England:

Englandadvisersupport@equalityhumanrights.com

Scotland:

Scotlandadvisersupport@equalityhumanrights.com

Wales:

Walesadvisersupport@equalityhumanrights.com

BSL users can access [SignVideo](#).

Please note that we cannot accept bundles of documents, or the personal details of the individual you are advising.

Resources for advisers

For links to our current materials and other selected sources for advisers visit [EHRC Adviser Support: resources](#).

Contact EHRC Adviser Support

England: 0161 829 8190

Scotland: 0141 228 5990

Wales: 029 2044 7790

The service is available within core office hours.

Tell us how we can help

Complete our [short survey](#) to tell us what you want from EHRC Adviser Support. We want to find out whether you expect you will use the helpline service, what you want from it, and whether the [online resources](#) are helpful.



THE EASS ADVICE LINE FOR INDIVIDUALS

The Equality Advisory Support Service (EASS) provides information advice and support on disability discrimination and human rights issues to individuals in England, Scotland and Wales.

You can contact the EASS by phone, textphone, webchat, letter or email. If you are a BSL user then skype. Welsh speakers available. If you are contacting the EASS by post about an issue for the first time, please do not send any documents with your letter.

Resources for individuals

For [information about how the equality act works](#), and how it may be relevant to your situation visit www.equalityadvisoryservice.com/app/help.

By telephone or textphone

Telephone: 0808 800 0082

Textphone: 0808 800 0084

Opening hours:

Monday to Friday 9am-8pm,

Saturday 10am-2pm

By post: Freepost,
Equality Advisory Support Service
FPN443

To contact the EASS by email go to

www.equalityadvisoryservice.com



THE EASS PARTNERS



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THE NATIONAL KEY SCHEME (NKS)

If you have a health condition or disability, finding an accessible toilet that's clean, tidy and available to use can be a challenge. And they're often kept locked.

Under Radar's NKS scheme, special locks are installed on public disabled toilet doors to give disabled people priority access. Local authorities have adopted the scheme and 'Radar toilets' can now be found in shopping centres, pubs, stores, bus and train stations, and other locations nationwide.

Opening doors to independent living

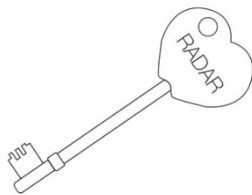
We sell Radar keys to people who need to use accessible toilet facilities due to their disability or health condition. The key gives you independent access to locked public toilets around the country. The provider of the toilet has a key – but with your own key there's no need to wait for a member of staff to unlock the door. You're in control.

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- One size fits all, blue steel key
- Ergonomically designed for grip and leverage
- Reliable keys you can trust with confidence
- Individually tested and guaranteed by our master locksmith

Order your key from our online shop.

It's VAT-free if you meet HMRC's conditions.

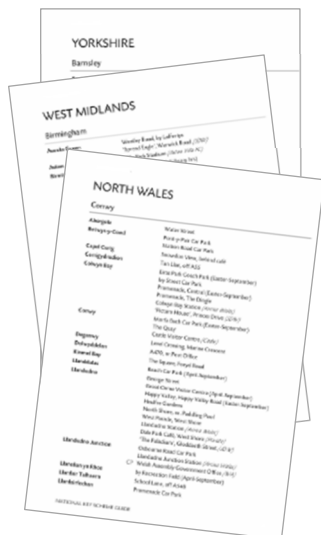


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Don't risk a cheap copy!
Radar locks have tight tolerances which need accurate keys

RADAR NKS REGIONAL LISTINGS

We keep a directory of the location, address and opening times of Radar toilets around the UK. When you order your key from us, we can send you a list of NKS toilets in your area. We just ask for a donation of £3.50 to cover the print cost.



Regions available:

- Greater London
- South East England
- Southern England
- West Country
- Devon and Cornwall
- Eastern England
- East Midlands
- West Midlands
- North West England
- Yorkshire
- Isle of Man
- North East England
- South East Scotland
- South West Scotland
- East Scotland
- Highlands and Islands
- North Wales
- Mid and West Wales
- South Wales
- Northern Ireland
- Channel Islands

Last full data update 2013

[Order your key](#) and regional listings of toilets from our online shop.

With your own Radar key you can unlock most disabled toilets around the UK

Contact Disability Rights UK (DR UK)

DISABILITY RIGHTS UK

[Plexal](#), Here East, 14 East Bay Lane,
Queen Elizabeth Olympic Park, Stratford,
London E20 3BS

HOW TO FIND US

[Our location](#) on a map. Free shuttle buses run from Stratford train and bus stations from 7am to 10.30pm. There are two pickup points:

- Bus stop E outside Stratford International
- Bus stop X opposite Stratford City bus station

ENQUIRIES

General enquiries

Office number: 0330 995 0400
Open Monday to Friday
9am-12.30pm and 1.30-4.00pm
Please note this line is not an advice line.
Email: enquiries@disabilityrightsuk.org

Membership enquiries

Phone: 0330 995 0411
Email: members@disabilityrightsuk.org

Sales enquiries

Phone: 0203 687 0790

Media enquiries (for journalists only)

Phone: 0203 687 0782

Website enquiries

Email: webmaster@disabilityrightsuk.org

HELPLINES FOR INDIVIDUALS

Equality Advisory & Support Service (EASS)

Phone: 0808 800 0082
Textphone: 0808 800 0084
Open Monday-Friday 9am-7pm
Saturday 10am-2pm
(closed Sundays and Bank Holidays)
There is a webcam portal for BSL users via the Royal Association for Deaf people.
Website: www.equalityadvisoryservice.com

Disabled Students Helpline

Phone: 0330 995 0414
Open Tuesday and Thursday 11am-1pm
Email: students@disabilityrightsuk.org

Personal Budgets Advice Service

Phone: 0330 995 0404
Open: Tuesday and Thursday 9.30am-1.30pm
Email: personalbudgets@disabilityrightsuk.org

HELPLINE FOR ADVISERS

Member Organisations

Welfare Rights Advice Service

Phone: 0203 687 0779
Open: Tuesday and Thursday
10.30am-12.30pm
Email: ken.butler@disabilityrightsuk.org

FOR MORE INFORMATION VISIT

www.disabilityrightsuk.org/contact-us

