**The Welfare Reform and Work Bill: SHLD Members attend All Party Parliamentary Group**

On 5th November 2015 Sue Ledger and Jan Walmsley from SHLD attended a combined Meeting of the All Party Parliamentary Group (APPG) on Learning Disability (Chaired by Chris Heaton Harris) and the APPG on Disability (Chaired by Lisa Cameron). The meeting was held to discuss changes outlined in the Welfare Reform and Work Bill. The Bill legislates for cuts to meet the government target of cutting £12 billion from the welfare budget. Disability charities and MPs have raised a number of concerns about the impact of the proposed changes on disabled people and their families and carers.

**What happened at the meeting?**

The 60 minute meeting was opened by Justin Tomlinson, the Minister for Disability, summarising the aims of the bill. Next, Victoria Holloway and Phil Reynolds, Co-chairs of the Disability Benefits Consortium (DBC) outlined their concerns about the proposed legislation. This was followed by a presentation from Rebecca, a 26 year old woman with learning disabilities from west London. Rebecca spoke about her own experience of employment and the benefit system. Rebecca’s account effectively illuminated how the current system is serving learning disabled people in practice. It also highlighted additional barriers for those seeking employment if benefits are to be cut by a further £30/week, as proposed in the new bill.

These informative presentations were followed by a question and answer session with ministers before the chairs closed the meeting.

**Justin Tomlinson**

Justin Tomlinson explained that he is a new minister for disability having now been in post for 6 months. He emphasised that he wishes to be approachable to individuals, families and organisations.

In terms of employment for disabled people the minister feels that localised support is the way forward, with much more to be done to engage the business community and encourage employers to take on disabled people. He identified work with the private and public sectors as key to achieving this in addition to engagement of the media.

The minister explained that reform of benefits that support access to employment was needed as at present only 1% of disabled people are coming off employment support benefits. He also highlighted that many disabled people feel that it is disadvantageous to declare themselves as disabled making it hard to accurately establish just how many disabled people are in employment.

Justin Tomlinson acknowledged that the Personal Independence Payment (PIP) that replaced Disability Living Allowance (DLA) had been introduced badly and that lessons have been learned by government as a result. He said that the new PIP system will use continuous assessment to ensure claimants do not lose out on benefits and offered reassurance that the new assessment system is working better.

**Victoria Holloway and Phil Reynolds, Co-chairs of the Disability Benefits Consortium (DBC)**

The DBC raised concerns about increases in disability poverty and the fact that the social care system is almost at breaking point. They argued cuts to welfare to work benefits are a false economy if their reduction results in more disabled people becoming reliant on social care services.

These speakers reported that over 50% of PIP appeals were successful indicating a poor level of understanding of disability on the part of benefit assessors. The DBC suggest that by improving the quality of assessment people could be more effectively placed into employment by being better matched.

Victoria Holloway emphasised there must be recognition that disabled people want to work and some do but also that some are no longer able to work anymore as a result of their disabling condition. She expressed concern that the Bill does not support people to maintain their independence and manage their condition. She also emphasised that moving into work is possible for many disabled people but takes time.

**Rebecca’s Story**

Rebecca is 26 and lives with her parents and 2 older siblings in Chiswick. She enjoys poetry and going to a local advocacy group. Rebecca explained that her learning disability is linked to her Prader -Willi syndrome. She often finds it hard to listen to and process information.

Rebecca attended mainstream school and felt happy and accepted there. Since leaving school she has done a lot of voluntary work, including working in a cafe and helping care for older people. Rebecca said that doing this work had made her feel proud, like she had given something back. Rebecca said that she would really like to be in full time employment but she has applied for many jobs without success. She now has paid work one day per week but there is no prospect of her hours increasing.

In terms of benefits Rebecca gets the middle rate of DLA and had attended a medical assessment in 2011. In June 2012 Rebecca had a fall. In August 2012 she received a medical questionnaire from the Job Centre. She completed this with help from her family making it clear she was likely to be immobile until October 2012. In October she received notification that her ESA would be stopped for 2 years.

Her family had to fight to get the benefit re-instated. Eventually, months later, Rebecca received notice from the job centre saying that her benefit had been re-instated but without explanation or apology. Rebecca said that the process was so complicated and hard to deal with. She raised the question ‘if I didn’t have my parents what would I do?’

**Minister response**

Justin Tomlinson commented that Rebecca had described having to navigate her way through a ‘terrible process’ and that he was sorry to hear this. He feels that many businesses do not have the confidence to employ people with disabilities and that many are unaware of the range of support services that would be there to assist them. This is something the government want to change by encouraging businesses to see disabled people as attractive employees and change perception that people with disabilities may be a risk to employ. The minister thinks that many employers are not aware of the additional support that would be made available to them.

**Question and Answer Session**

Several members of the audience raised concerns about the current system of medical assessment for PIP. Representatives from disability organisations gave examples of amputees being asked if their stump would grow back and people with Parkinson’s disease being asked when they expected to recover.

Ministers acknowledged that the former assessment system had not been satisfactory and that the government were working hard to put this right. Justin Tomlinson said that increasingly experienced medical assessors such as OTs and Physiotherapists were now being employed to assist applicants with the assessment process. Their role is to ensure that people are properly advised in terms of documenting and evidencing their condition. The government want to focus on more proactive evidencing of disability early on in the benefit assessment process.

Baroness Hollins raised concern about the complexity of the system and highlighted that Rebecca’s story made it clear that advocacy was needed to help people with learning disabilities with writing and phoning benefits agencies. Justin Tomlinson emphasised that it was the role of benefits assessors to ensure people fill in the forms as well as possible.

More concerns were raised about the cuts and the fact that restricting income could make it harder for many disabled people to finance attending and presenting themselves for employment interviews.

The minister felt that encouraging disabled people to start their own businesses may be one way forward.

 As there was not enough time for everyone to ask their question Justin Tomlinson said that further questions could be submitted to him via the APPG Email address: Ismail.Kaji@mencap.org.uk

**What next?**

The Bill was introduced in July 2015 and has now been scrutinised by MP’s in the commons. The third reading took place on 27th October and the bill has now been introduced to the House of Lords.

**Welfare Reform and Work Bill : Further Information (see also attached easy read version from Mencap)**

**Work**

The government have made what Mencap describes as a welcome commitment to halving the disability employment gap and announced £100m to be spent on supporting an additional 1 million disabled people to obtain employment by 2021.The new Bill requires the Secretary of State to report on progress towards full employment. Disability groups have argued that this reporting duty should specifically include progress made for people with learning disabilities, autism and mental health needs, groups historically underrepresented in the work place.

**Working age benefits**

The government has made a commitment to protecting Disability Living Allowance (DLA) and its replacement Personal Independence Payment (PIP) from proposed cuts. DLA and PIP play a key role in meeting the additional costs faced by many disabled people living with impairment.

Although these benefits remain protected, many are concerned that the Bill legislates to cut a number of working age benefits which disabled people are more likely to receive such as Employment and Support Allowance (ESA), Jobseeker’s Allowance (JSA), Housing Benefit (HB) Tax Credits and the new Universal Credit (UC).

**Benefit Cap**

The Bill lowers the cap so that the total amount of out of work benefits a household can claim is £23,000 in London and £20,000 outside. Households with disabled people in receipt of DLA/PIP are exempt but those in receipt of other common benefits such as ESA will be affected.

**Four year Freeze**

The Bill freezes a number of key benefits such as Jobseekers Allowance, Housing Benefit and Universal Credit. Again those in receipt of DLA/PIP are exempt.

**Employment and Support Allowance-Work Related Activity Group**

The Welfare Reform and Work Bill covers changes to a benefit payment called Employment Support Allowance Work Related Activity Group (ESA WRAG). People in ESAWRAG may be able to undertake work related activity including education and training as well as pain and condition management for those assessed as having health and medical needs. WRAG is specifically there to provide support for those disabled people assessed as being not fit for work. Currently there are 492,180 disabled people within the ESAWRAG. The largest group being people with ‘Mental and Behavioural Disorders’ (248,040) which includes people with learning disabilities, autism and mental health difficulties.

The Bill proposes that the amount of money for new people claiming ESA WRAG should be cut from £101 to £73/week –a reduction of almost £30 a week. The Bill also outlines plans for a benefits freeze for the next four years. Ministers have said the cut is necessary to ‘remove the financial incentives that could otherwise discourage claimants from seeking work’.

The Disability Benefits Consortium (DBC) which represents 60 disability charities has argued that cuts risk making it harder for disabled people to obtain employment. DBC argue that the anxiety and stress that accompanies being in further poverty and debt will hinder disabled people seeking work effectively and for those with health conditions it may risk prolonging or even holding up their recovery.

**Reducing Social Housing Rents by 1%**

The Bill legislates for a reduction in social housing rent levels by 1% for the next four years. Representatives from the APPG with Mencap and the National Housing Federation have raised concern about the negative impact on disability housing providers who are no longer able to cope.

Golden Lane Housing (GLH), Mencap’s housing arm, has made it clear that a cut in income would affect development of new housing solutions urgently needed by vulnerable people living in remote institutions or living with parents no longer able to carry on with providing support.

There has been some recent progress with this issue with the government stating that providers of ‘specialised housing support’ (including GLH) will be exempted. However the housing sector argues that few housing providers have this status.

**Universal credit: Work related requirements and parents of Disabled children.**

The Bill would introduce a requirement for parents of Disabled children, aged 3-4yrs, to be available to seek work. Finding good childcare for disabled children is often difficult and whilst carers of children in receipt of higher or middle rate DLA are exempt these benefits are often not in payment to young children due to complications of early needs assessment and administrative delays.