

DISABILITY RIGHTS BULLETIN

KEEPING OUR MEMBERS UP TO DATE

DECEMBER 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

The number of new PIP claimants has doubled in a year

A new report by the Institute for Fiscal Studies (IFS) highlights that the number of working-age people who received Personal Independence Payment (PIP) doubled between July 2021 and July 2022.

In summer 2021, each month 15,000 or so working-age people started receiving PIP with that monthly figure having remained little changed for years. By July 2022, the latest data, shows it had doubled to 30,000 per month, with no sign of slowing down.

The increase in claimants is seen across medical conditions and ages, with the fastest rise among teenagers, where claim rates have tripled.

The IFS says that with no change in the number of people seeing an end to their PIP claim, this implies a growing number of recipients:

- Currently there are 2.8 million claimants, whose payments cost in total £15 billion per year.
- This sudden increase seems to be driven by a worsening of health across the population – something for which there is now accumulating evidence across a number of sources.

The new IFS report also finds that:

- **The increase in claims has been seen across ages and conditions.** Essentially all ages have seen their claim rate roughly double, although for teenagers it has tripled. Claims for most major conditions also increased by a similar amount.
- **Around a third of the new claims are for mental or behavioural conditions,** although among claimants under 25 that figure rises to 70%. The share of claims for mental illnesses, has – like other conditions – changed remarkably little during the rapid rise.
- **Rising applications to disability benefits has led to a backlog of around 250,000 people waiting for their claim to be assessed.** So far this does not appear to have affected waiting times, though they remain long at 18 weeks on average.



Claim rates have doubled; a third of new claims are for mental or behavioural conditions

- **The success rate (the proportion of applications that are awarded PIP) has stayed roughly the same since 2016 at around 40%.** This is consistent with the assessment system remaining roughly the same in terms of its “strictness”, and the ill health of applicants remaining at similar severity, with the spike in new PIP awards simply driven by more people in ill health and making claims.
- **Consistent with that interpretation, survey data on the working-age population as a whole shows that health has been getting worse,** with 9.6% (4.0 million) now reporting that their health limits their daily activities “a lot”, up from 8.5% (3.5 million) at the start of 2021. Here too there is an increase across all major types of condition.

This sudden increase seems to be driven by a worsening of health across the population

The IFS concludes that:

“From mid-2021 to mid-2022, we have seen a rapid increase in the number of people beginning a PIP claim. This does not seem to be driven by a change in the operation of the PIP system, and nor does it appear closely related to labour market factors.

Instead, the evidence is consistent with the rise being driven by a general worsening of health across the population.

The number of people with health conditions that significantly affect their day-to-day activities – crudely the requirement for PIP eligibility – started to significantly rise at the same time as when PIP applications increased.

Both among the unwell population at large, and among new PIP claimants specifically, we see deteriorations in health that are broad-based across conditions rather than driven by just one or two major culprits.”

Ken Butler DR UK’s Welfare Rights and Policy Adviser said: *“The shocking detailing by the IFS of the rapid deterioration in the UK’s health is reinforced by new [Office for National Statistics \(ONS\) data](#).*

These highlight that disabled adults are five times (35%) more likely than non-disabled adults (7%) to experience some form of depression.

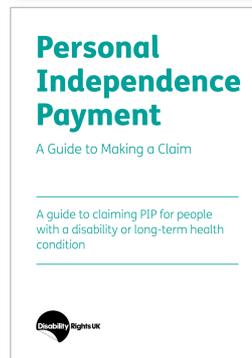
Unless the cumulative damage caused by the effects of the Covid pandemic and the years of austerity to both welfare and social care is reversed then disabled people’s overall health and wellbeing will continue to deteriorate.

In terms of PIP, in the short term, action must be taken to ensure the 18 weeks for decisions on claims is reduced. However, what must be remembered too is that PIP award rates of just 40% does not accurately reflect the true needs of those claiming it.

The assessment of PIP remains poor with [7 in 10 PIP appeals won on the same evidence DWP already held](#) and with around 70% of PIP appeals being upheld.”



The full IFS report, [The number of new disability benefit claimants has doubled in a year](#), is available from ifs.org.uk.



[Personal Independence Payment – a guide to making a claim](#) is available from disabilityrightsuk.org.

London Marathon Sunday 23 April 2023

We’re Recruiting Runners – Join Team DR UK



Are you eager to make a difference? Ready to make a change for disabled people across the UK? We are devoted to campaigning to strengthen and protect disabled people’s rights. Help us to raise money to support the work we do.

DR UK is recruiting runners for the London Marathon in 2023. The money that you raise goes straight back into the work we do to support disabled people. We receive no government funding for our core work, so the money raised really does make a difference.

Join us and you’ll get:

- DR UK running vest
- Six months subscription to Runner’s World magazine
- Regular check-ins for general encouragement and fundraising tips
- E-news and other DR UK updates
- Support with fundraising activities, e.g. flyers about our work, donation collection boxes
- Linked via email to other DR UK runners

Questions? Thinking about applying?

Contact rebecca.clarkson@disabilityrightsuk.org



Disability benefit reform: reducing the financial risks for disabled people to try out employment

The Social Security Advisory Committee (SSAC) has issued a briefing paper examining in detail how the current structure of benefits be changed to overcome disabled people's financial concerns about moving towards employment.

The briefing's conclusions and recommendations, are aimed at informing the Department of Work and Pensions (DWP) as it finalises its White Paper legislation proposals following last year's [Shaping future support: the health and disability Green Paper](#).

The Committee first highlights DWP 2020 research shows that one in five disabled people (20%) claiming income replacement benefits wanted to work.

However, it then quotes Green Paper evidence suggesting that disabled people who claim out-of-work benefits are unlikely to work again, whatever their desire and capacity to work.

It notes too that only 1 or 2% of claimants move out of the Employment and Support Allowance (ESA) Work Related Activity Group (WRAG) and ESA Support Group each month.

As a result the Committee says: "We concluded that the immediate priority should be to address issues under the following three broad core themes which arose repeatedly in our workshops and in other evidence available to us."

These are:

- reducing risk (and perceived risk) of trying paid work, particularly relating to reassessments and potential income loss;
- improving financial incentives to engage in paid work
- increasing trust in DWP to offer tailored support and take account of personal circumstances, including fluctuating conditions, in a fair and transparent way.

SOCIAL SECURITY ADVISORY COMMITTEE

After taking direct evidence from Disabled People's Organisations, disability charities, academics, policy experts on disability employment and claimants, the SSAC recommends the following:

- Removing the perceived risks of moving into work for Personal Independence Payment (PIP) claimants by providing a clear guarantee that no PIP reassessments would take place within 12 months if a claimant enters paid work, ensuring that assessment is kept separate and distinct from a claimant's work status.
- Providing a guarantee that if someone tries paid work and it does not work out, within a period of a year they can go back to the exact benefits they were on, with no fresh [work capability assessment](#) (WCA) required.
- An extension to the level of [Permitted Work](#) before losing entitlement to ESA (currently at 16 hours per week at the National Living Wage) to better enable people to gradually increase their hours and/or salaries.
- Exploring whether the universal credit (UC) [Work Allowance](#) rules for a couple with a disabled member could be adjusted to create a specific incentive for a disabled family member to enter paid work, where another member is already in employment and benefiting from a Work Allowance.
- Extending the eligibility requirements for the UC Work Allowance to PIP claimants
- Encouraging the take-up of voluntary employment support, by offering a personal budget for that support, underpinned by a menu of options for effective support, to anyone in ESA Support Group or UC equivalent who wants to try paid work.

Independent report

Out of work disability benefit reform

Published 16 November 2022

- Providing more discretionary tailored support to people with fluctuating health conditions, to remove barriers which can discourage disabled people from trying work and employers from employing them
- An option of an Access to Work ‘pot’ that could be accessed by people requiring periodic time off for temporary cover to help remove the disincentive for employers to recruit or retain them.

The SSAC also proposes that the DWP implements the following to ensure disabled people are confident the system will work for them:

- the implementation of a DWP communications strategy that explains directly how people can try paid work safely, without jeopardising income; explains the financial incentives to work; and builds trust and confidence among claimants that the system will work for them
- the DWP should work in partnership with organisations that disabled people trust, to ensure that individuals are aware of the steps being taken to incentivise and de-risk of their journey into paid work, and that the terminology and language used is clear and supportive of the journey into work
- the DWP should consider revisiting language used, to give greater recognition to barriers disabled people continue to face as they move into paid work, and how they may be

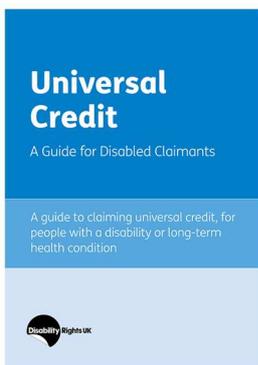
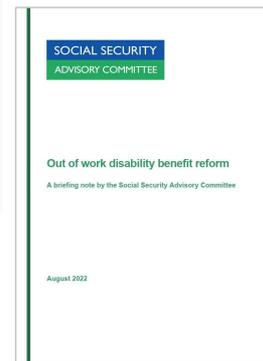
mitigated; and to erode the binary distinction between being ‘fit for work’ or having ‘limited capability for work’

The SSAC concludes by saying: *“These measures represent a step towards recognising the barriers that disabled people continue to face as they enter paid work and to reduce the binary distinction between being capable or incapable of work.”*

“They open up the middle ground in which people can try work without future jeopardy, with the tailored support to enable them and their employers to remove or mitigate those barriers. They have the potential to improve trust.”



The SSAC briefing paper [Out of work disability benefit reform](#) is available from gov.uk.



Universal Credit

A guide for disabled claimants

This guide will help you find your way through the Universal Credit maze. Written by our in-house benefits experts, it will help you maximise income for yourself or your clients.

The guide covers:

- How you qualify, how to claim, how the amount gets worked out and how universal credit is paid;
- The assessment that decides whether you can get extra money because of your condition;
- Sanctions and what to do to avoid them;
- What happens when you get moved onto universal credit from another benefit;
- What you can do if you are unhappy with a universal credit decision;
- A glossary of words and phrases used in the guide

Free to download

Available to [download now](#)

DR UK delivers climate statement to COP27

The United Nations (UN) Climate Change Conference COP27 closed with a breakthrough agreement to provide “[loss and damage](#)” funding for vulnerable countries hit hard by climate disasters.

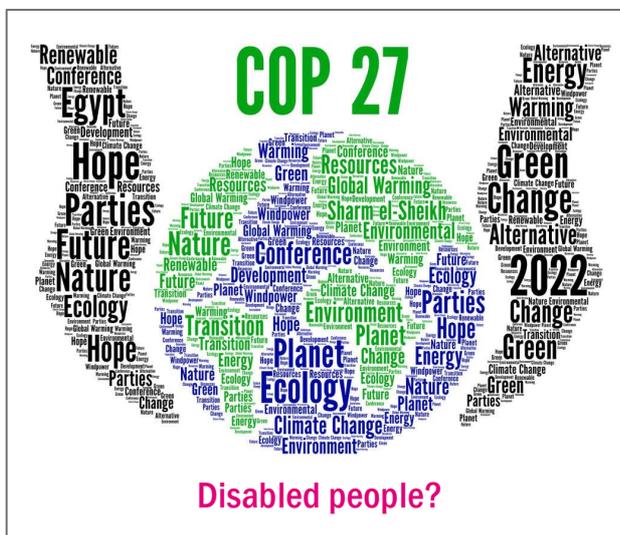
However, disabled people are not yet formally recognized by the UN as a vulnerable population, despite extensive evidence of the outside impact of climate change on us.

Disabled people face distinctive challenges as the climate warms due to barriers to accessing warning systems and transportation, as well as generally poor health, health care access, and housing, people with disabilities have a mortality rate [up to four times higher](#) than that of non-disabled people in natural disasters.

In the hope of changing attitudes and to further include the community in climate discussions, DR UK took a “statement of intent” to COP and it was delivered into the hands of delegates and representatives who attended.

The DR UK statement, which was co-signed by many global Disabled activists, explained that disabled people are currently excluded from discussions and solutions around climate change, meaning the impact of any legislation on those who are disabled is overlooked. This is referred to as “Eco-ableism”.

Disabled people are currently excluded from discussions and solutions around climate change



Now the statement has been received, DR UK and its coalition of activists and campaigners are going to continue to grow their disability climate change coalition and begin to share their statement with other groups both political and representative.

DR UK climate group lead Dan White said: *“This was never going to be a one-off campaign. Alongside our work on disability poverty in this appalling cost-of-living crisis, climate change, if left unchallenged, will be equally as negative to the community in terms of challenges, if not worse.”*

Now our statement has been received and read by COP leaders and other invited global Disability groups, we can begin to get our voices, experiences and solutions to the table. If climate change is humanities issue, then all of humanity deserves to get involved. Watch this space.”

if left unchallenged, climate change will be equally as negative as disability poverty

You can read the DR UK climate statement [here](#).



Energy companies let down disabled people

A new report by energy watchdog Ofgem has uncovered failings within 17 Energy suppliers in their attitude and assistance to disabled customers.

The regulator said the worst examples included, suppliers failing to read the meters of customers who could not do so themselves and customers being unable to contact their energy supplier to top up their meter or to request support credit.

The report focused especially on the use of pre-payment meters and the fact that many disabled people who have them in their homes are either running out of credit or self-disconnecting due to bills and debt-repayment rates.

Around four million households across the UK are on [prepayment meters](#), according to Ofgem and those using them are often on lower incomes or have historically struggled with debt.

Ofgem's findings come hot on the heels of a recent report by [Citizens Advice](#) which found that energy suppliers were failing to support disabled people struggling with their payments.

When customers have difficulties with their payments, energy suppliers are required to support them.

This usually takes the form of a repayment plan, agreed between the supplier and the customer.

However, Citizens Advice found that some suppliers were forcing disabled customers onto pre-payment meters, to collect arrears and stop future debt. Citizens Advice found that this action could force people to self-disconnect, as people were not always able to top up their meters.

All the suppliers that submitted data to Ofgem were told they must improve their practices.

Neil Lawrence Ofgem's director of retail said: *"From eligible customers who are missing out on free gas safety checks through to companies not identifying vulnerable customers to be offered obvious support on the Priority Services Register, this robust review has highlighted that suppliers need to do more to support consumers."*

www.disabilityrightsuk.org



We welcome the cooperation from suppliers and action taken so far, and, although we are seeing some very good practice in parts of the industry, we can see there is still much more to be done."



Policy and Campaigns officer at DR UK, Dan White said: *"This report shows that not only do energy companies regularly fail disabled consumers, but that pre-payment meters don't enable disabled customers to be fully supported or their health and wellbeing to be sufficiently safeguarded."*

Energy debt should be collected in the usual way through plans to pay arrears, no-one should be put in the situation of being forced to disconnect due to lack of money."

Pre-payment meters should be phased out and no more customers should be moved on to them."

For more information see [17 energy suppliers need to do more to help vulnerable customers this winter](#) available from ofgem.gov.uk.

Note: The [End Fuel Poverty Coalition](#) (EFPC) has called for a ban on fuel suppliers forcing customers to switch to pre-payment meters.

The EFPC advises anyone who is contacted about a pre-payment meter installation to [contact the Good Law Project](#) who are looking to challenge these transfers.

For more information, see [Forced pre-payment meter transfer](#) available from endfuelpoverty.org.uk.



Three of the UK's biggest cities have no plans for providing wheelchair-accessible homes

New reporting from the BBC has found that some of England's major cities are failing to ensure that new wheelchair-accessible homes are built.

This is a major issue, as [Habinteg's research](#) has shown that 91% of homes don't provide the four main features to be considered even 'viable'.

This research comes as the government delays the incoming Levelling Up bill due to a backbench rebellion over housing targets.

In the summer, the government committed to increasing the accessibility standards for new build homes but there remains no progress on implementation.

[BBC Freedom of Information requests](#) to local councils across the country uncovered the failure to plan for fully accessible homes.

Currently, 1.8 million disabled people have an accessible housing need – 580,000 of whom are of working age.

Disabled people living in inaccessible homes are four times more likely to be unemployed. A lack of accessible housing has serious consequences for us.

Local councils can require housebuilders to ensure a percentage of homes meet higher standards of accessibility, ensuring that bathrooms and kitchens are usable and that all

rooms offer enough space for wheelchair users to move around. But as it stands, these requirements remain optional.

Disabled people living in inaccessible homes are four times more likely to be unemployed



Mikey Erhardt, Housing Policy Lead at Disability Rights UK said: *"Yet again, another piece of research shows how the housing system is rigged against disabled people. We have a right to a warm, affordable, accessible home. These are not luxuries but the minimum we should all expect."*

We want the UK Government to tackle this crisis head-on by legally requiring local authorities to ensure that all new build homes are built to high accessibility standards with 10 per cent built to wheelchair-accessible standards (M4(3) design standard).

If the government is brave enough to take it, there is a way out of this crisis. By building more accessible, truly affordable social homes, freezing rents across the social and private rented sectors, and taking action to tackle poor quality of housing across the country – we could finally get the housing system we all deserve."

For more information see [Revealed: Major cities failing to plan for any wheelchair accessible homes](#) available from bbc.co.uk.

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.

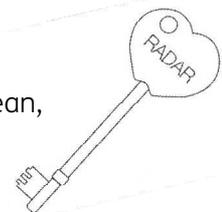
Disability Rights UK manages the Radar NKS Scheme and rely on key sales to maintain it.

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 including P&P and VAT (if applicable)

Available from our [online shop](#)



DR UK projects

DPO Capacity Building Project

Contribute to the launch of our new project

An open invitation to Disabled People’s Organisations (DPOs) to co-produce the launch of Disability Rights UK’s DPO Capacity Building Project.

Introduction

Following the COVID-19 pandemic, DPOs – like many organisations in human rights advocacy and advice – face heightened challenges, pressure, and long-term insecurity. The standards and competition for funding has increased, creating barriers to income, while service users require growing support and advocacy.

Recognising the challenges faced, we have set up a three-year DPO lead project to enhance DPOs networking capacity, organisational confidence and service user response.

The project is:

- co-productive, placing DPOs at its core
- sustainable
- capable of decentralisation, placing control in the DPO sector
- iterative and flexible
- evidence-based

Our goals

The long-term goal of the project is to uplift and grow an ecosystem of DPOs by:

1. connecting our sector
2. facilitating capacity building tools

The DPO development manager



Rebecca Tayler Edwards is spearheading the project. Rebecca comes from a background in start-up development, public engagement and grassroots social equity. She is passionate about intersectional and collaborative social change.

If you are interested in hearing more about the project, get in touch with Rebecca via email at rebecca.tayler-edwards@disabilityrightsuk.org or via [LinkedIn](#).



We want to co-produce this project with you

We are looking for DPOs across the UK who wish to contribute to the project at co-lead, steering group, advisor, researcher, and participant levels.

Want more information?



Click to view our [Live Introduction pack](#) or our [Live Text based Introduction document](#)



Want to stay updated?



Click to view our [Live Updater pack](#) or our [Live Text based Updater document](#).



Get Yourself Active

What to read from the Get Yourself Active team

Every month, we look to highlight the most interesting, informative or powerful stories and news from across the Disability Activity movement.

Together with noted filmmakers [Rainbow Collective](#), the social care providers Trafford Choices and Community Integrated care, and the organisation Skills for Care, we have launched a new, publicly accessible video series that shows how disabled people get active in care environments.

You can read the full story about the [Active Together Project on Get Yourself Active website](#) or watch the Active Together Videos on Youtube.

You can find the full press release, tweets, and captioned and BSL-translated short clips for social media in our [online media pack](#). Please share these videos far and wide!

If you want further content for newsletters or blogs, please don't hesitate to get in touch.



Some other highlights this month include:

- The team at Rethink Mental Illness explored the relationship between severe mental illness and getting active. The blog looks at why people severely affected by mental illness need to be supported and encouraged to be more active. RMI's story is available on [the Get Yourself Active website](#).
- We heard from Brett Smith, Director of Research, Professor of Disability and Physical Activity at Durham University, who discusses how the Chief Medical Officer's guidelines for sport and physical activity could prove a gamechanger for sports accessibility. You can get [Brett's take on the our website](#).

You can read all our stories [on our website](#).

SPORT ENGLAND'S TOGETHER FUND

We are still to delivering [Sport England's Together Fund](#) and, to date, have partnered with 81 organisations, funding 119 projects to support disabled people and people with long-term health conditions to be more active. Of these 119 projects, 45 are currently being delivered, and 74 have finished.

The Together Fund aims to reduce the negative impact of Covid-19, the associated cost of living crisis, and any widening inequalities in participation rates in sports and physical activity in underrepresented communities.

So if your organisation has a project idea to help get disabled people and/or people with long-term health conditions more physically active, email us at tacklinginequalities@disabilityrightsuk.org or check the [Get Yourself Active website](#) for more details.

Are you following us on Twitter?

We regularly post news, updates and links to other information on our Twitter page. We'd love to keep you informed of what we're up to.

Please do follow us [@GetYrselfActive!](#)

GET YOURSELF ACTIVE

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.

The Get Yourself Active team works alongside disabled people and Disabled people’s user led organisations (DPULO) 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.



Get Yourself Active is funded by Sport England and led by Disability Rights UK

You can read our stories on our website:

www.getyourselfactive.org

We regularly post news, updates and links to other information on our Twitter page. Follow us:

[@GetYrselActive](https://twitter.com/GetYrselActive)



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. Get Ahead resources are available [here](#) where you can download current and previous editions of the Get Ahead newsletter.



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

Support our work by giving a regular monthly amount

Help us build a fighting fund

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

Monthly direct debits, whatever the amount, are the single most helpful and efficient way you can support the work of our charity.

- **£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](#)



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 are starting our LAP recruitment drive again! DR UK is now recruiting for the 2023 cohort of its flagship Leadership Academy Programme (LAP), which we are running online via Zoom.

LAP is an established leadership training for employees with lived experience of disability. 80% of our delegates have gone on to achieve new promotion opportunities, joined committees or disability networks and seen an increase in their confidence, motivation and self-belief.

The programme challenges limiting beliefs, real and perceived barriers and aims to remove any ‘glass ceiling perceptions’ for their career development aspirations.

- Do you wish to progress your career?
- Recently received a promotion?
- Do you have lived experience of a disability and/or a long-term health condition?

If so, we want to hear from you.



Equally, if you’re an employer, or someone who works in Human Resources or Equality, Diversity and Inclusion (EDI), this is the perfect course to empower and support the career development of the disabled employees within your talent pool.

This year we were oversubscribed, and we are likely to be in the same position once again for our 2023 cohort, which will start in February. Places are offered on a first come first served basis, so please apply early.

You will need to share the information with your line manager, L&D Team, or Disability Network, to explore ways to get sponsored onto the programme by your employer. You are permitted to self-fund, please enquire about discounts available if you are thinking of taking this route.

A combination of the learning and discussions with other participants really helped me and provided me with tools to improve and think about leadership differently. Towards the end of the course I decided to throw my hat into the ring for a promotion at work. I got the job and will now put into practice what I have learnt as I will be managing a small team. Recent LAP delegate

Even if you are not able to undertake the programme yourself, please share this information in your workplace, and within your networks, so that other disabled employees, may have the opportunity to attend the course.

The flyer provides details about the Leadership Academy Programme Online, including its benefits to businesses, the programme's focus on career development, and contact information for further inquiries. It also features a testimonial from a recent delegate and logos for Disability Rights UK and the Institute of Leadership and Management (ILM).

For more information

For details please see our [Information Flyer \(Feb-Sept 2023\)](#). Feel free to email me any questions you might about the programme or to request an application form: katrinamorris@disabilityrightsuk.org

Helplines

Member Organisations' Welfare Rights Helpline



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

Universal Credit and receiving education

Q: Our client is a 20-year-old man who is a residential student at a specialist college for young adults with special educational needs and disabilities (SEND). He was enrolled under the new Springboard Programme to prepare students for work and like skills and he is funded by Adult Social Care.

As he is a student on a programme of preparation for work and life skills, and funded by Adult Social Care and having financial assessment for contributions – can he claim Universal Credit (UC)?

A: The issue in the client's case is whether he may be deemed to be "receiving education" and so not eligible for UC. If you are "receiving education", you can only receive UC if you are one of a small category of people.

You are able to claim universal credit even if you are receiving education if you:

- are in non-advanced education, are under the age of 21 (or are 21 and reached that age while undertaking the course) and have no parental support;
- are entitled to attendance allowance, disability living allowance or personal independence payment **and** you have a limited capability for work. In these circumstances, you will only be entitled to universal credit if you have already been assessed as having a limited capability for work on the date of claim, where you have already started the course before making the claim, or on the date that you start the course in any other case. Therefore, you should also claim 'new-style' ESA on a credits-only basis to have your limited capability for work assessed;

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.

- are responsible for a child or 'qualifying young person';
- are a single foster parent;
- are one of a couple, your partner is also a student and they are responsible for a child or qualifying young person (including as a foster parent);
- have reached pension age and have a partner who has not reached that age;
- are waiting to return to your course after an agreed break because you were ill or had to care for someone. You can get universal credit once you have recovered or your caring responsibilities have ended for up to one year providing you are not eligible for a student loan or grant during this time; or
- have a partner who is not a student (or who is able to claim universal credit as a student themselves).

For UC purposes, someone is "receiving education" if they are undertaking:

- a course of full-time advanced education;
- any other full-time course of study or training and are supported by a loan, grant or bursary (but not a traineeship or a course of education or training to improve your skills that your work coach has referred you on);
- any other course of study or training that is not compatible with any work-related requirements that have been placed on you by your work coach.

From what you've said, the client would not seem to fit the description in the first two bullet points above on the grounds that Adult Social Care funding is not a loan, grant or bursary.

However, an issue may still be whether his studies does not fit in to his “work-related requirements”.

Everyone who receives UC has a [claimant commitment](#) the content of which depends on their circumstances.

It is not possible to pre-determine in advance what an individual’s claimant commitment might be.

Until the client makes a claim for UC, his work related requirements will not be agreed and established.

If he has not previously claimed benefit in his own right, he will not have had [a work capability assessment to decide whether he has a ‘limited capability for work’ or a ‘limited capability for work related activity’](#).

However, someone’s claimant commitment must still reasonably suit their needs and take into account the impact of their disability or health conditions.

Given what you have said, his Springboard course would straightforwardly seem vocational training.

As a disabled young person, the client will find it harder and experience more barriers finding future employment.

So again, taking part in a supported internship can be argued to be a useful and legitimate work related activity.

Should any claimant commitment produced after the client has claimed UC, and resulting in non-payment, [this can be disputed](#).

When claiming UC, the client can seek at the same time a work capability assessment (WCA) to get a decision as to whether he has a limited capability for work.

He does not need to do this only via his work coach but can make a claim for [New Style Employment and Support Allowance \(NSESA\)](#).

While he will not qualify for payment of NSESA, he can make it clear when claiming that he wants a WCA.

While having a WCA scheduled can take several months, obtaining a decision that he has a ‘limited capability for work related activity’ would increase the level of any UC entitlement and if found to have a limited capability for work still restrict the type and amount of work activity in any claimant commitment.

So the client can claim UC but may need to present the case that he is not “receiving education” and that his claimant commitment should allow him to continue his present training. CPAG has a free briefing on [Benefits for Disabled Students](#) available from cpag.org.uk.

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
- bedroom tax
- benefit cap
- carer’s allowance
- council tax help
- jobseeker’s allowance
- legacy benefits and universal credit
- permitted work
- personal independence payment
- universal credit and disability
- work capability assessment

EHRC HELPLINE FOR ADVISERS

The Equality and Human Rights Commission (EHRC) 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](#).

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.

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

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, 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.

To contact the EASS by email go to

www.equalityadvisoryservice.com

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



THE EASS PARTNERS



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.

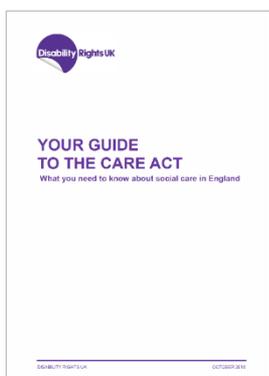


Banane Nafeh deals with enquiries for Disability Rights UK's Personal Budgets advice service. The advice line is open Tuesday and Thursday from 9.30am-1.30pm.

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

Independent living factsheets include:

- being in control: getting personal assistants
- non-residential charges: paying towards the cost of your care and support at home
- charging for residential accommodation
- complaining about local authority decisions
- assessment process for carers
- personal health budgets and NHS continuing health care
- assessment, eligibility and support planning
- employment contracts
- The role of brokers in relation to social care
- personal budgets: the right social care support



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.

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.

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

Download a PDF [here](#). Printed copies are available from our [online shop](#)

Share your experience –tell us about your care

The Care Quality Commission (CQC) is the independent regulator of health and adult social care in England. They would like disabled people to share their experience of care to help them decide where and what to inspect.

Examples of [services](#) regulated by CQC include GP surgeries, dentists, care homes and services in your home. Let's make care better together. Give 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.



Disabled Students' Helpline



Rundip Thind, DR UK's Student Helpline Adviser, responds to enquiries to our disabled students' helpline.

What support can I get with my disability on my course?

If you have a disability you may need support to access the course and successfully complete your studies.

Support can include many different things, for example:

- Specialist equipment, such as a voice-activated computer
- Sign-language interpreters
- Tape or digital recorder for lectures and notes
- Extra tutorial help
- Changing the height of desks
- Allowing you extra time to complete essays or exams
- Providing handouts on different colour paper, or in a larger font
- Transport to and from college

What is considered reasonable depends on each individual case. You can get more suggestions on possible adjustments by reading our Factsheet [Adjustments for disabled students and apprentices](#).

You should be able to have a confidential discussion with the staff member responsible for disability, usually called the additional learning support adviser or disability adviser.

They should arrange for a needs assessment – a face-to-face meeting with a trained assessor who understands about your disability. The assessor will send you a report summarising the extra help that you will receive.

If you have an Education, Health and Care (EHC) Plan, with your permission your school/careers adviser will pass on information about your support needs to the college.

Further education colleges get money from their funding body to provide support.

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

This is usually called Learning Support. If you're aged 19-24 and have very high support needs, you'll likely to have an EHC plan and will get individual funding from your local authority. If not, the college can apply for extra money called Exceptional Learning Support.

In higher education, you can apply for Disabled Students' Allowances (DSAs). DSAs are for extra costs you have on your course because of your disability.

They are divided into four categories: specialist equipment, non-medical helper, general expenditure and travel. You can get more information on DSAs from our Factsheet [Applying for Disabled Students' Allowances \(DSAs\)](#).

Our education factsheets include:

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

Disability Rights UK

**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

Disability Rights UK

**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

Training

Introduction to Welfare Benefits – online course

2 x half-day sessions – Wednesday 18 and Thursday 19 January 2023

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: Wednesday 18 January, 9.45am – 12.45pm

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

Part 2: Thursday 19 January, 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: £125 plus VAT for DR UK organisational members

To find out more click [here](#)

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



Bespoke solutions from the experts

Does your organisation have specific needs in relation to disability equality?

As well as providing a variety of training courses on disability confidence and welfare benefits, we can help you meet your objectives with a bespoke programme.

We can provide innovative solutions and guidance to your organisation on all elements of disability equality and best practice, tailored to your needs and objectives.

For more information or to book an initial conversation, email training@disabilityrightsuk.org



Preparing for an Appeal Tribunal – online course

2 x half-day sessions – Next course February 2023

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: 9.45am – 12.45pm**
Assessing the case, reviewing the DWP decision
- **Part 2: 9.45am – 12.45pm**
Composing effective written submissions, preparing claimants for appeal hearings

Cost: £125 plus VAT for Disability Rights UK organisational members

[Click here](#) to find out more



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.



Make a donation to Disability Rights UK 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. If you use the Amazon app on your phone, AmazonSmile has to be turned on: find out how [here](#)

It costs you absolutely nothing – [shop online and raise money for Disability Rights UK](#)



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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

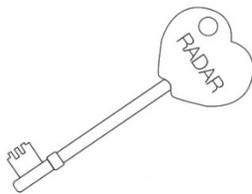
We sell Radar keys to people who need to use accessible toilet facilities due to their disability or health condition. The key gives you independent access to locked public toilets around the country. The provider of the toilet has a key – but with your own key there's no need to wait for a member of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

Genuine Radar NKS keys

- 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.

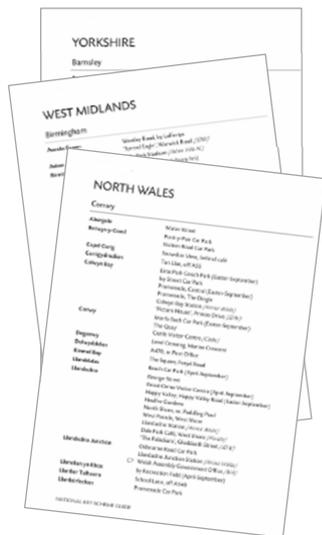


£5.00 plus VAT
Includes delivery to anywhere in Europe

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

